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states that while several regional networks deliver syndicated agriculture news to a number of Nebraska radio stations, this does not meet farmers' and ranchers' need for farm news from their local area.

NFBF states that while it has been suggested that the gap in radio farm news can be filled by such other services as Internet websites and subscription-based market advisory services, these services lack the ability to be with the farmer as he moves throughout the work day. NFBF states that only radio has the ability to move with the farmer as he moves through his day. NFBF also states that because farmers do not set the prices for their commodities, they need to be constantly informed of market price movement in order to take advantage of selling opportunities when they occur.

According to NFBF, Nebraska has been affected by the trend since the late 1990s of large ownership groups acquiring hundreds of radio licenses following changes in media ownership rules. NFBF states that to a greater degree than before the changes in ownership rules, programming on local stations is now being driven by a corporate headquarters that is much more concerned about the bottom line than serving the needs of the local community. NFBF states that in Nebraska, agriculture is the backbone of the economy of both the large cities and rural communities, and that farm news is vital because of the importance of agriculture.

NFBF states that national farm advertising has dropped 45 percent in the last five years, and local farm advertising declined even more. NFBF states that the declines can be attributed to a weaker farm economy, a consolidation of farm industry companies and fewer new product offerings, especially in the crop protection area.

NFBF states that it recognizes that market forces affect the broadcast industry, just as they do all industries, but that this should not detract from the fact that many stations in Nebraska have a rural audience that is no longer being adequately served. NFBF encourages the Commission to include farm programming in any initiative to encourage more community-responsive programming.

New Mexico Broadcasters Association (the Association) (11/1/04)

The Association states that "localism is alive and well because the market demands it." The Association suggests that in the face of growing competition from satellite and cable providers, local broadcasters "have traditionally provided – and continue to provide – the communications centerpoints for their communities. Whether broadcasting local news, weather, emergency information, local sports, or school lunch menus, their business success depends on serving as the voices of their communities. Local broadcasters play that role and are expanding it."

The Association specifically identifies a number of factors which demonstrate its members' commitment and contribution to localism and identifies them within various

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categories. First, the Association states that broadcasters ascertain community interests and needs, noting that many stations report scheduled meetings with local elected and appointed officials to assist in taking the pulse of their communities. The Association further states that in a number of instances, station managers and other personnel sit on various boards, committees, councils and commissions, and that this is especially true in more sparsely-populated areas where community functions depend on community participation in often voluntary public efforts.

The Association also contends that local news and public affairs programming represents a core value, and that providing emergency information is significant to this commitment. The Association notes that a good example of such local news and public affairs is heard on KTNM and KQAY, the stations of Quay Broadcasters of Tucumcari. The Association states that these stations present a half-hour morning drive time news program, followed by a public affairs interview program on which municipal, county, school board, and other local government and educational representatives update the community, and that afterwards, members of the community are invited to appear on another program to discuss local arts, entertainment and civic events. The Association notes that once a week, the stations put their public affairs focus on local schools, providing parents and children with information on school projects, events and issues for that week, and that the stations also broadcast obituaries.

The Association states local broadcasters also provide emergency information to protect life and property from wildfires, blizzards, floods, and tornadoes, and that people rely on and regularly tune into their local broadcasters to help them steer clear of trouble. The Association states that many stations hold regular meetings with first response officials to ensure that when trouble strikes, the public will be informed quickly and accurately – with greater speed or depth than is provided through EAS alone.

The Association states that community service is an important element of the broadcast industry's business, and that New Mexico's broadcasters contributed about 117 million dollars worth of services to their communities in 2003, through the broadcast of public service announcements, direct fundraising efforts for charitable projects, and other direct or in-kind donations.

The Association states that even in smaller, more rural markets – where few stations operate – broadcasters reach out to minorities. For instance, the Association states that KTNM and KQAY, while programming in English, will run Spanish spots and PSAs as requested, and have also broadcast Spanish language programs, despite the predominance of English on their airwaves.

With respect to any Commission action on localism, the Association states, "New Mexico's local broadcasters respond to the need for localism in their broadcasting activities both because it is the right thing to do and because it makes good business sense. [...] The Commission need not intercede because broadcasters have long been a

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communications centerpoint for their communities, and marketplace realities keep localism as an imperative for broadcast stations.”

Newell, Michael R. (3/29/04)

Mr. Newell supports RM10803 and states many radio stations in the country have been taken over by three or four major corporations. He claims these station owners must be concerned about the cost of doing business but they cannot program their stations to the local community's needs and show a profit. Mr. Newell asserts that the proposed Low Power AM Radio Stations can bring back local radio as an outlet which could provide information and entertainment to the local community.

Mr. Newell also asserts local stations can become the focal point for small communities, and even small communities within larger cities. He states that this may also be a good way to teach and educate younger people about broadcasting and get them involved in the daily workings of a local station.

Mr. Newell believes such facility should be a daytime-only outlet (sunrise to sunset) to avoid interfering with existing stations at night. He suggests RF output could be at 10-20 watts maximum with coverage no more than three to four miles in order to retain the station signal within the local community, which, in turn, would give more communities a local AM outlet and not interfere with TIS outlets. Mr. Newell suggests that station antenna should be no more than 30 feet high, and that the new LPAM stations could be assigned in the expanded AM Radio band.

NewRadio Group (NewRadio) (11/1/04)

NewRadio represents three FM and one AM station operating in Wisconsin. NRG indicates that it airs 26 newscasts per day between the four stations. All newscasts focus first on local and state news.

NewRadio indicates that it airs three hours of local talk programming per day Monday through Friday on one of its stations, and that these programs may include interviews with local politicians, community leaders, and organizations. In addition, NRG provides further examples of local public affairs programming including weekend sports programming that carries all area high schools.

NewRadio provides local emergency information including school cancellations, Amber Alerts, and severe weather information.

NewRadio has sponsored local musical and entertainment events in the local area.

NewRadio provides examples of participation in community activities including sponsorship and promotion of charitable fundraising events.

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NewRadio Group Northwoods (New Radio Northwoods) (11/8/04)

NewRadio Northwoods states that it delivers local news throughout its communities 160 times a week. It states that one of its stations, WHDG 97.5 FM, is the designated LP1 Radio Station for the area and has “regularly broken programming to broadcast alerts (i.e. thunderstorm, tornado, as well as Amber alerts).”

NewRadio Northwoods states that its program directors invite people from the community to “do interviews during live times for arts and craft shows, annual fireman’s picnics, youth county rodeos, high school dedications, little league tryouts, parades, benefits for the YMCA, MHTL bike path, and more too [sic] numerous to mention.”

NewRadio Northwoods also notes that throughout the year its staff are involved in many area fundraisers, events, and community promotions, and that they donate air time for such events.

NewsChannel 5, filed under Numerous (11/2/04)

NewsChannel 5 submits a letter “intended to inform the FCC about WTVF-TV/NewsChannel 5’s commitment to serving [the] local community.” NewsChannel 5 states that it produces 43.5 hours of local programming each week, including a daily, one-hour local talk and entertainment show, and a weekly half-hour sports re-cap program focusing on local teams and relevant national highlights. It states that 69 percent of the station’s personnel resources are directly involved with gathering, reporting, and producing local news and information.

NewsChannel 5 explains that it has invested significant resources in weather forecasting and storm tracking technology. It states that in 2004, the station expanded its live news coverage capability in the outlying rural areas. NewsChannel 5 states that it participates in EAS, provides AMBER Alerts, and announces emergency school closings. According to NewsChannel 5, it has worked with the local Crime Stoppers organization since 1995 to provide public service segments during news programs, informing viewers about crimes and requesting their help in solving them. It also provided \$400,000 in rewards to viewers for information provided in response to these news segments.

NewsChannel 5 explains that it airs political programming of local interest, and its digital channel NewsChannel 5+ produces 16 hours of “local niche programming” focusing on issues important to the community. NewsChannel 5 states that it is also involved in many community outreach programs.

Newton Communications Access Center (Newton), filed by Paul D. Berg (10/18/04)

Newton states that PEG access channels provide a model for localism.

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According to Newton, with very few exceptions, the commercial media does not currently support non-commercial speech. Newton contends that the top three cable MSOs that currently control well over half (almost 40 million) of the cable subscribers in the U. S. -- Comcast, Time Warner and Cox -- have lengthy track records of opposing PEG access operations.

Newton states that a Media Access Project and the Benton Foundation report, *What's Local about Local Broadcasting?* (April 1998) reflects that, in the five markets examined, (Chicago, IL; Phoenix, AZ; Nashville, TN; Spokane, WA; and Bangor, ME), 40 commercial broadcasters provided 13,250 total hours of programming – but just 0.35% (46.5 hours) for local public affairs, and 35% of the stations provided no local news, while 25% offered neither local public affairs nor local news.

Newton further states that an expanded 2000 Benton Foundation study found that 0.3 % of the total commercial broadcast time within these markets was devoted to local public affairs programming.

Newton also states that in November of 2003, the Alliance for Better Campaigns study on local television found in six cities where the FCC held hearings on localism, local public affairs accounted for 0.4% of the programming on the 45 local television stations.

According to Newton, the “Local TV Coverage of the 2002 Elections” report by the Lear Center Local News Archive illustrates how local broadcast TV stations have largely abandoned any real efforts at serving local community needs and interests.

Newton states that, in contrast, NewTV, the public access channel operated by Newton with an annual budget of just over \$750,000, produced 200 hours of voter information programming during local state and federal campaign periods in Fiscal Year 2004 (July 2003-June 2004); 1,000 hours of programming by local nonprofit groups around issues related to immigration, housing, health, AIDS, domestic violence, gay/lesbian matters and a wide range of other issues; and 1,110 hours during that year were dedicated to coverage of Newton Board of Aldermen, Newton School Committee and other civic events.

Newton states it operates three noncommercial channels that are 80% local, generating nearly 78 hours weekly of original programming devoted to the local community, and that it supports television use by Newton’s nonprofit organizations, 75% of which have budgets of under \$250,000, that create civic, educational, arts, jobs, health, immigration, and other community-based programming. Newton also states that citizens have a voice on cable television by supporting training, equipment and channel time for Newton’s diverse citizens and groups.

Newton urges the Commission to commission studies that can evaluate the methods used by PEG access to promote localism, compare and contrast these practices and their

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outcomes with those of commercial broadcasters, and explore the potential for expanding the PEG access model across other media platforms.

Nexstar Broadcasting, Inc. (Nexstar) (11/1/04)

Nexstar, a licensee of 26 television broadcast stations, submits statements of local community service, programming and related activities for four of its stations and for one station which Nexstar is programming under a time brokerage agreement ("TBA") pending that station's acquisition. The five stations are: WFFT-TV, Fort Wayne, IN; KTAL-TV, Texarkana, TX; KTAB-TV, Abilene, TX; WJET-TV, Erie, PA; and KLST-TV, San Angelo, TX (TBA station).

Nexstar Broadcasting, Inc. (Nexstar) (12/28/04)

Nexstar a licensee of 27 television broadcast stations, submits statements of local community service, programming and related activities for the following nine full and low power stations: KMID-TV, Midland, TX; KQTV-TV, St. Joseph, MO; KSVI-TV, Billings, MT; KSNF-TV, Joplin, MO; WFXV-TV and WPNY-LP, Utica, NY; WBRE-TV, Wilkes-Barre, PA; WHAG-TV, Hagerstown, MD; and KDEB-TV, Springfield, MO.

Norman Broadcasting Co. Inc., filed by Charles E. Geer (10/29/04)

Charles E. Geer comments on behalf of Norman Broadcasting Company that its station, WGNU, has never abandoned its commitment to serving as a public trustee and in the public interest of the St. Louis metropolitan area and the community of Granite City, Illinois.

Mr. Geer lists examples of commitments to localism, including commentaries, talk programming, content of programming and referring to experts on local issues. Mr. Geer claims that WGNU participates in the Amber Alert Program and is an EAS Monitoring Station. Mr. Geer also claims that WGNU reports on local traffic.

Mr. Geer claims that WGNU provides local political programming, and information on local events. Mr. Geer also states that WGNU participates in community outreach and volunteerism.

Mr. Geer comments that, "[w]hen I joined the WGNU staff in 1974, broadcast licenses were renewed every three years, and stations were required to ascertain not only community issues, but also to project how much time would be given for such programming - and to provide proof in the form of a 'composite week' of actual program logs."

Mr. Geer comments further that "[i]n the 1980s, broadcast deregulation was a vote of confidence in the ability of professional broadcasters to do their job and to be accountable

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for their performance without micro-management. Today's most successful broadcasters learn the problems and needs of the communities they wish to serve even before they fill out their first application - and they never stop learning."

North Carolina Association of Broadcasters (11/4/03)

The North Carolina Association of Broadcasters filed materials to support the testimony of Joan Seifert-Rose, General Manager of WUNC radio, at the hearing held in Charlotte, North Carolina on October 22, 2003.

Documents attached include:

- Letter from the Government of North Carolina, Michael Easley, who applauds the efforts of North Carolina broadcasters to serve the public through local programming on news, public affairs, public service announcements, and emergency information that pertain to the local community and charities. The letter asks the FCC to keep in mind the longstanding tradition of public service of the North Carolina Broadcasters.
- Letter from the Attorney General of North Carolina, Roy Cooper, asking the FCC to consider the benefit provided to the local public by the diverse, locally operated media outlets in North Carolina that air different perspectives and points of view. As broadcast television and radio remain the public's predominant choice for news and entertainment, the airwaves provide a unique forum for democracy. Notes that public service announcements also help law enforcement.
- Letter from Warren Lee with the New Hanover County Department of Emergency Management discussing how the Department has forged ties with local media that help ensure the dissemination of information during an emergency. Considers the media an integral part of the emergency management team.
- Over 400 letters received by broadcasters in North Carolina recognizing their service and community contributions.

North Carolina Association of Broadcasters (1/9/04)

The North Carolina Association of Broadcasters thanks the Chairman and Commissioners for holding a localism hearing in North Carolina and transmits approximately 100 testimonials received by members regarding service to the local community through either programming or community involvement. Several testimonials are addressed directly to the FCC.

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North Carolina Association of Broadcasters (Association) (11/1/04)

The Association states that it is a non-profit trade association comprised of 222 radio and 30 television members representing stations throughout North Carolina, serving as the voice of North Carolina broadcasters with respect to proposals by government agencies such as the FCC.

The Association states that North Carolina's broadcasters do an excellent job of serving the public interest, and that it is not true that broadcasters are unaware of the problems, needs, and interests of the communities they serve or that they fail to meet such concerns in their programming. The Association states that its members are engaged and respond to problems using the power of radio and television on behalf of the communities they serve.

The record of the FCC localism hearing in Charlotte, North Carolina, on October 22, 2003, shows that, while some complaints were aired, no new regulations are needed to induce broadcasters to serve their communities. The Association states that the FCC should stick to the deregulatory policy adopted in 1981 and terminate the localism proceeding.

Several hundred documents are attached attesting to the service that North Carolina broadcasters give to their communities.

North Dakota Farm Bureau (NDFB) (9/1/04)

The NDFB states that it supports the effort to initiate a dialogue with the public on how the Commission can best ensure that broadcasters fulfill their obligations to serve their local communities.

The NDFB states that in order to make vital decisions, farmers and ranchers need detailed and timely weather information, local news, up-to-the-minute market reports and news affecting production agriculture.

NDFB states that trends in radio today are in the direction of less farm programming, and that many stations are eliminating or curtailing farm news. NDFB believes that part of this can be attributed to the changes in media ownership rules which allowed large ownership groups to acquire multiple radio licenses.

NDFB asserts that farm programming has been eliminated in an effort to appeal to wider audiences. It states that it has been suggested that the gap in radio farm news can be filled by such other services as Internet websites and subscription-based market advisory services. According to NDFB, these services lack the ability to be with the farmer as he moves throughout the work day, and that only radio can offer that.

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NDFB encourages the Commission to include farm programming in any initiative to encourage more community-responsive programming.

Northwestern College & Radio (12/27/04)

Northwestern College & Radio states that it holds 15 licenses and has a religious format. Northwestern describes the ways it promotes localism, including participation in local charitable causes, as well as programming to minority communities.

NY/PA Media Action/Binghamton Independent Media Center (Media Action), filed by William Huston (12/30/04)

Media Action addresses the state of localism in the Binghamton, NY, market for broadcast and cable. The comment reports that broadcast localism in the Binghamton market is in a very poor state.

The comment submits the following type of factual analysis. "Of twenty-five primary local analog broadcast licenses and one broadband cable provider, eighteen are owned by just five distant forprofit corporations." Media Action states there is little original local news: "only about 5-15% of broadcast time claimed to be devoted to news is original local news content." The comment also highlights the importance of detailed understanding of news statistics: "In comments made to the FCC on local television licensee (WBNG) claims that it produces 'more than 24 1/2 hours of local newscasts each week,' which averages to be 3.5 hours per day. However, after subtracting time spent on commercials, weather, sports, entertainment, video news releases, and redundancy, the actual total amount of original local news produced per day is usually 25 min. or less per day."

The comment also includes data on public affairs programming. "Non-news locally produced public affairs broadcasting is almost entirely absent. Commercial radio broadcasters average just under seven-tenths of one percent (0.64%), WSKG, Inc. our local "Public Broadcasting" affiliate is just over seven-tenths of one percent (0.74%) for their two radio streams. Only WHRW, the radio station owned by the State University of New York does significantly better (by an order of magnitude) at 7.4%."

The comment states that Binghamton's commercial radio market is nearly a duopoly between Clear Channel and Citadel. It also notes that all Binghamton radio stations (except WHRW) are 100% automated at night, and it states that automation poses public safety risks. The comment states that public broadcasting outlets do not serve localism well.

Ohio Farm Bureau Federation (Federation) (8/27/04, 11/10/04)

The Federation states that few audiences are as dependent on local radio programming as

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the farm community. It states that farmers require geographically specific information regarding commodity prices, weather forecasts, production practices, and public affairs, and that until recently, farmers could rely on farm broadcasters in or near their community to provide this highly localized information. However, according to the Federation, market forces are now reducing farm broadcasting as a valuable local resource for farmers.

The Federation states that the primary market force that has hurt farm broadcast service is consolidation in station ownership. It contends that owners who control programming on many stations save costs by having fewer employees dedicated to farm programs.

According to the Federation, since 1998, Ohio has lost one-half of its full-time professional farm broadcasters and approximately 10 percent of the stations which carried farm programs just five years ago no longer do so. The Federation says that the state's most widely heard farm station has cut its programming by one-third and that these trends have resulted in Ohio farmers losing relevant and accurate sources of vital information which no other medium provides.

The Federation states that consumers are also losing a valuable resource, noting that Ohio has many farms, but that it is also highly populated (more than 11 million people live virtually next door to Ohio's 78,000 farms). The Federation states that the loss of farm radio programming eliminates their access to a unique perspective on issues such as food safety, environmental protection, and public policy.

The Federation also states that market forces in and of themselves have not encouraged broadcasters to air community-responsive programming. It encourages the Commission to recognize and respond to the needs of the agricultural community if steps are taken to encourage improved local broadcast service.

Orchard, Ronda (9/20/04)

Ms. Orchard states that by eliminating the ability of a broadcaster to determine the needs and interests of a community, the Commission gave carte blanche to broadcasters to do as they wish regarding the treatment of community issues. She believes that broadcasters are getting free access to the airwaves and realizing major profits along the way. Ms. Orchard contends that the public has not received sufficient opportunity to define the public interest, and that the public has a right to participate in setting standards for use and to influence the protection of the frequency.

Ms. Orchard states that local needs are dictated by the locals living in the area. She contends that an independent, local producer with a passion for communicating with his/her community will cover an issue of importance. She also contends that a simple public service announcement on a commercial station is not nearly as informative as a documentary on the same topic aired on a noncommercial public access station. Ms.

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Orchard states that a formula for having commercial broadcasters mentor interested community access producers in journalistic style and techniques would go much further than a simple PSA.

Ms. Orchard also comments that providing broadcast access to one candidate of monetary means is not fair to the candidate of little means. She states that one initiative would require "local public, educational, and governmental access channels and New Jersey Public Broadcasting Authority to provide free airtime for legislative candidates."

Ms. Orchard states that when cable comes to town and a franchise deal is struck, and no provision for a P.E.G. system is made, it is the entire community that is underserved. She states that when cable subscribers are charged franchise fees and city administrators take either part or the whole amount and stick it in the general fund, the entire community is underserved. She also states that when it comes to minority communities, it is the P.E.G. centers that provide training and equipment to give them a voice in their community, not commercial broadcasters in general. Ms. Orchard says that with the help of the Commission and a real plan of collaboration between commercial broadcasters, cable and satellite operators, there's no reason 100% of the community watching television cannot have their needs and interests addressed.

According to Ms. Orchard, instead of a community relying on local ABC, CBS, NBC affiliates to get a short sound bite out to their citizens about local disasters, it would be preferable to employ the P.E.G. center to reach the very constituents served by the cable coming into their community. She states that requiring broadcasters to make their facilities available to a local emergency manager would be a good idea if that emergency manager knew anything about running a broadcast station. She further states that perhaps a genuine plan of cooperation between all broadcast entities (which includes the P.E.G. centers) and the local emergency manager would "fit the bill."

Ms. Orchard states that "[p]layola-type practices are inconsistent with localism" when they make it impossible for nonprofit and other small groups to get vital information out to their communities. In many cases, she says the public must pay or trade to get an announcement out on commercial media. She states that it is deregulation that paves the way for this activity to continue.

Ms. Orchard states that low-power FM service is a wonderful noncommercial way to reach a small radius of the community. She states that the Commission should follow the state of Vermont in acting to preserve a minimum of 10% of the broadband spectrum for public and noncommercial use to provide communications and information services for current and future related public interest.

On broadcast license renewal applications, Ms. Orchard states that one of the ways to make the license renewal process more effective is to establish a legislative mandate

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requiring that public hearings on service and community needs assessments be conducted and published for comment, criticism and resolution.

According to Ms. Orchard, when cable providers use the public right of ways, many communities charge the cable provider with the obligation to provide at least one noncommercial Public, Education and Government channel. She states that such a provision has enormous potential for providing relevant, local information of public interest through the noncommercial P.E.G. model. She states that P.E.G. centers take on the task of working with individuals, non-profits, churches, governments, and educators to broadcast issues of importance and disseminate emergency information to all walks of life. Ms. Orchard also states that better federal support of these life-saving centers could go a long way in addressing many of the issues the Commission is seeking answers to at this time.

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Pajak, Susie (1/28/04)

Ms. Pajak comments that she appreciates the religious broadcasting of the First Baptist Church.

Parenti, Amy (8/23/04)

Ms. Parenti states that news stories are measured on the scale of corporate profit and do not serve the people's interests. Rather, Ms. Parenti states that programming is geared towards serving corporate over community interests. She urges the FCC to work to serve the interests of the people it is meant to protect.

Parker, Bob (1/28/04)

Mr. Parker, the Lead Director of the First Baptist Church, San Antonio, Texas, states that the broadcast of the Church's Sunday service provides a real-time worship experience for those unable to attend church. Mr. Parker states that it would be unwise for the FCC to lessen local control over programming and that, if national networks are given more control over programming, there will be a loss of community identity, sense of neighborhood, creativity and uniqueness. Mr. Parker also states that the focus of national networks is on national news, while the nation's viewers are mostly interested in and concerned with local news and local programming.

Peckman, Robert (11/1/04)

Mr. Peckman, a professional musician, states that local radio programming makes it possible for him to earn a living. He also states that local programming allows for more cultural diversity on the radio. Mr. Peckman states that sponsors of national programming generally want music played that appeals to the greatest number of people, with no regard for local cultural preferences. Mr. Peckman states that the Commission should not bend to the will of wealthy large broadcasters in its deliberations on localism in broadcasting.

Peterson, Grant E. (6/28/04)

Mr. Peterson is a part-time announcer at KJJQ in South Dakota. He expresses his concern over a pending purchase of his station and its two sister stations by Three Eagles Communications. He states that if the purchase is approved, all five radio stations in Brookings, SD would be under a single ownership.

Mr. Peterson asserts that the local community would suffer if all media outlets came under single ownership. He cites an example of a local civic society (Brookings County Historical Society), stating that under current ownership, Mr. Peterson provides free on-

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air time to the Society. Mr. Peterson indicates that Three Eagles Communication recently approached the Society with a proposal for Society-paid advertising on their stations.

Poehner, W. Mark, filed under Numerous (8/23/04)

Mr. Poehner is an elementary school teacher from Columbia, who states that he and half his Columbia friends find media portrayals of Columbians to be a negative and "villainous caricature."

Mr. Poehner states that Machiavellian media corporations advocate school and teacher accountability while there's no media accountability. He states that there should be a media report card, graded locally, and that if "broadcasters don't show a 20% improvement in coverage each of three consecutive years, their licenses get revoked."

Poor Magazine (7/20/04)

Poor Magazine states it is a non-profit organization dedicated to providing media access, education and advancement to low-income individuals. Poor contends that media conglomerates do not address issues or include the voice of low-income individuals. In addition, Poor Magazine contends that such media conglomerates are out of touch with these communities and fail to act in the public interest.

The Post Company (Post) (1/1/05)

Post submits that it would be counterproductive for the Commission to attempt to regulate what viewers in every local community need. It states that broadcasters who continually interact with their local communities and whose primary business model depends on determining what individuals in their communities actually want to see and hear are in the best position to decide what programming serves their local communities. It states that the vast majority of broadcasters are currently serving their local communities extremely well through a wide-variety of high quality news, informational, and other locally produced programming. Finally, Post argues that the market dictates that broadcasters respond to local issues due to increased competition from satellite radio, cable, direct broadcast satellite, and the Internet.

As an example, Post notes that its station KIFI-TV broadcasts numerous local news and public affairs programming, public service announcements, on-air fundraising initiatives, political coverage, emergency response initiatives, and many other community-specific efforts. It notes that KIFI-TV also contributes to many local charities, sponsors local events, and airs many public service announcements for children.

Potter, Andrew (10/1/04)

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Mr. Potter states that, "[l]ocal television is broken in almost all the smaller markets in this country.... [and that T]he only value add of local television is the retransmission of national network content." Mr. Potter also states that local networks cannot "afford to update their infrastructure for true high definition TV."

Mr. Potter states that he cannot receive quality High Definition content because his network affiliates are broadcasting at such a low power, his antenna cannot pick up the signal. He also states that the Satellite Home Viewer Improvement Act (SHVIA) should be amended so that it will stop protecting local stations: "[t]he government should not prevent me from watching WCBS from New York City" and "[a]llowing ... re-transmission of the network feeds via regional or even distant market affiliates are the only way to fix our lame system of local television."

Pratt, Lee (7/23/04)

Mr. Pratt urges establishing Low Power AM Radio Service.

He states that, in his area of Upstate New York, one company has bought up all the AM stations in the area and now simulcasts what it calls "Nostalgia" programming, while passing off announcing winter school closings, and running Public Service Announcements as community involvement.

Mr. Pratt states that Low Power AM is the only way that Low Power Radio will ever establish a meaningful presence in some cities, and in most rural areas – that even the speedy authorization of second adjacent channel spacing for Low Power FM stations will not open up a single frequency for Low Power Radio stations in either metropolitan Detroit or metropolitan Boston.

Mr. Pratt also states that, if Low Power Radio on the FM Band is to remain a terrain that is reserved exclusively for "established" non-profit organizations, the Commission should make AM Low Power Radio a complementary home for small businesses and individual broadcasters.

Mr. Pratt asks the FCC to move swiftly to: (1) assign Primary Service Status to all Low Power Radio stations (FM and AM); (2) assign Primary Service Status to all Class D educational stations; (3) assign a new and lower Service Status to satellite-fed translator stations (aka "satellators") and other long distance translators, which are crowding out frequencies needed by Low Power Radio stations and by truly local translators; and (4) initiate "damage mitigation measures" that will protect small stations, and particularly small AM stations, from interference caused by broadcasts with iBiquity Corporation's In Band On Channel (IBOC) Digital Radio technology.

Pratt, Nancy, filed under Numerous (8/23/04)

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Ms. Pratt states "an oligopoly of media infringes on a free market economy," and that Clear Channel's ownership of radio, TV, and billboards threatens freedom of thought and democracy. She states that a PEW survey reported that 70% of FOX News viewers "do not know the truth about why we are at war," and that "an ignorant, ill-intentioned electorate endangers the United States as much or more than outside terrorists." Ms. Pratt urges rolling back ownership limits, requiring divestiture, and enforcing antitrust laws.

Price, Anna (1/28/04)

Ms. Price comments that she appreciates the religious broadcasting of the First Baptist Church. Price expresses her disappointment at tuning into the station that broadcasts sermons from First Baptist Church and finding a "Spurs game" on.

Price, Mrs. Andrew (1/28/04)

Mrs. Price comments about the First Baptist Church, San Antonio, Texas, television ministry.

Prometheus Radio Project (Prometheus), ex parte filed by Pete Tridish (3/19/04)

Prometheus believes that translator radio stations do not serve the goal of localism as well as LPFM stations do because the former may not originate programming. Therefore, it urges that translators be considered secondary to LPFMs. It contends that 70-80% of potential frequencies in urban areas that the Commission intended to allocate to LPFM will be given to a handful of speculators if the current translator window proceeds. Since the Commission is soon to recommend to Congress completion of the implementation of LPFM, Prometheus believes it will be very ironic if there are no frequencies left.

Out of the 13,000 translator applications received in March 2003, Prometheus reports that over 50% were submitted by just 15 organizations. Unlike LPFM or commercial radio, it notes that there is currently no limit on the number of translators that an applicant can own. For example, Prometheus states, the Radio Assist Ministry has submitted 2454 applications, twice the number of radio stations that Clear Channel operates in the US. In 1999, in a study of potential available frequencies for LPFM, the Commission found 279 channels in 54 fairly representative cities. After the translator applicants take their fill, however, REC networks estimates that only 4 of those 279 will still be available.

Prometheus recommends that the Commission freeze all translator applications until after the LPFM proceeding and the LPFM 100-watt licensing window is closed; give 100 watt LPFM stations priority over distant translators; use the REC networks' proposed definition: a distant translator is any translator more than 400 kilometers away, and in a different state from the originating signal; set a cap on the number of translators any single entity can own; tighten the LPFM rules so that only truly local organizations can

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apply; and allow LPFM stations to apply under the contour method in the translator rules, giving additional technical flexibility--or make low power primary to translators, or certain classes of translators, because they have more options to find another usable frequency.

The Prometheus Radio Project (PRP) (1/3/05)

PRP recommends that the Commission create more opportunities for LPFM stations by giving locally originating LPFMs full spectrum priority over non-local translators. Specifically, PRP explains that only LPFMs which pledged that they were eligible for a "preference point" - on the basis of a pledge to create 8 hours or more per day of locally produced programming - should be primary to translators. PRP also asks that the Commission reexamine the LPFM allocation method and the minimum spacing rules, given the lack of channels available to LPFM under the current system. PRP argues that LPFMs should be allowed to use two methods for receiving a license. Generally, PRP states that LPFMs would use the minimum distance spacing method developed for LPFM, which would save Commission resources and money. If no frequency can be found using the minimum spacing method, PRP suggests that LPFMs would have the option, during a second filing window, of making an engineering showing and applying using the translator rules. LPFMs allocated using the translator rules would be subject to all of the same rules as translators, but LPFMs that had pledged to create 8 hours of local programming would be primary to all translators.

The Radio-Television News Directors Association (RTNDA) (11/1/04)

RTNDA argues that history demonstrates that marketplace forces ensure broadcasters' commitment to localism and will continue to do so. Broadcasters currently are providing a wealth of local news and informational programming. It believes that the current system of regulation is working.

It opposes content-based regulations, and argues that such regulations may violate the First Amendment. RTNDA states that media quality is a subjective matter and the government should not try to influence the quality or quantity of news programming that broadcasters offer.

RTNDA submits with its comments, "*2003 Local Television News Study of News Directors and the American Public*," which surveyed the public and local television news directors concerning the current state of local television news. The study makes the following conclusions:

1) Most people get their news from television, and they watch it more than they did in 1998. Television is the most trusted news medium.

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2) Most people say the media, and local television in particular, are doing a good or excellent job overall.

3) *Both the news directors and the public agree that local TV does not do a good job of explaining how stations decide what to put on the news.*

4) News directors overwhelmingly think they do a good job of responding to the public. The public isn't as enthusiastic.

5) The public feels local television news falls short in some key areas. However, the public's perception is less negative than in 1998 for every area, with the largest gain in reporter's sensitivity to victim's pain.

6) The public and news directors generally agree on the function of television news, with the public now feeling more strongly that stations should act as a watchdog.

7) A significant minority of the public disagrees with the idea that stations should be able to broadcast freely without government approval. News directors say government officials have made some coverage a little more difficult since the events of September 11.

8) News directors think they do a better job covering communities than the public does. The public is mostly evenly split on whether the media are driven by making a profit or by serving the public interest.

9) Although the public respondents think stations really care about getting the story right and respect their intelligence, they also think local TV chases sensational stories to attract an audience. Many news directors agree.

10) The public continues to have concerns with the use of confidential sources, hidden cameras, and other controversial journalistic practices.

11) Both the public and news directors see a significant amount of improper influence from news organizations' desire to make a profit, to get the story on the air first and to increase television ratings. News directors cite the impact of budget constraints on the quality of their newscasts as well.

12) What the public says it wants in a newscast and what news directors think the public wants differs significantly in several ways.

13) And when it comes to changing channels – the public doesn't click away as much as news directors fear.

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RTNDA also submits results of a study on the trends in newsroom staffing, the amount of news provided, and the revenue from the news department.

Ramos, John filed under Numerous (11/1/04)

Mr. Ramos, a member of the American Federation of Musicians, Local 427-721, Sarasota, FL, expresses his appreciation to the Commission for “getting rid of unnecessary, vulgar radio show hosts” and “for doing a great job with keeping our airwaves ‘sane.’ ”

Rancho Palos Verdes Broadcasters (RPVB) (11/1/04)

RPVB describes the nature and amount of community responsive programming which includes news and local sports. RPVB states that it offers a variety of Asian language programs for Asian-American communities in the Los Angeles market.

RPVB finds that a station that emphasizes local service meets resistance from cable television operators whose interest is in getting advertising and subscription revenues. RPVB argues the Commission must recognize that in order to support localism, local stations must obtain cable carriage in their markets. RPVB notes that Commissioners Copps and Martin dissented from the KRPV Decisions (FCC-04-176; FCC 04-176; FCC 04-178), with Commissioner Copps noting that the Bureau focused too much on distance and signal issues and too little on programming considerations, and Commissioner Martin taking issue with the Bureau’s failure to recognize the importance of local service to its community. He also notes that locally oriented religious programming provides a significant local service to the community that the Commission should value greatly when deciding whether to deny cable carriage to a local station.

The stations of RFVB agree that by its decisions in market modification proceedings, the Commission has excluded stations from the cable-viewing population. They argue that this flies in the face of localism, and that the Commission must adopt a localism policy by which it looks to factors beyond the technical Grade B contour requirement in considering whether to keep local stations off cable systems.

Rauch, Louise (1/28/04)

Ms. Rauch writes in support of local televised broadcasts of First Baptist Church (San Antonio, TX).

REC Networks (REC) (12/16/03)

REC states that it is a “supporter of locally owned and diverse radio” and that it operates several Internet-only radio stations and websites. It states that low-power radio makes an important contribution to localism. REC makes several proposals for improving

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localism through support for local broadcasting. "These include making changes to the LPFM service to make it more attractive to local organizations, make changes to the commercial FM rules to improve more public involvement when more commercial stations are being considered, easier access to filing informal objections on broadcast applications (both for construction and renewal), new broadcast services that encourage local ownership, substantial changes in the NCE service that will regulate multiple ownership of stations and other spectrum changes that will support these initiatives."

REC Networks (REC) (11/1/04)

REC states that it is a "supporter of locally owned and diverse radio" and that it operates several Internet-only radio stations and websites. It states that its comments relate to the regulation of low-power radio stations to localism. REC Networks states that, "REC has presented proposed changes to the LPFM and translator rules as well as recommended additional processes that the Commission should put into place to increase the number of voices that have access to the broadcast bands and assuring their ongoing access to the airwaves. It states that it also recommends the creation of new non-commercial and commercial radio services, all to encourage localism. REC states that it does not believe that a corporate-owned broadcast station that has local news and/or broadcasts public service announcements is true localism. According to REC, this is strictly their obligation as a public trustee. REC states that "the time is right to expand the spectrum to allow for more voices."

REC Networks (REC) (1/3/05)

REC states that it is a "supporter of locally owned and diverse radio," that it operates several Internet-only radio stations and websites, and that its comments concern REC's proposed definition of a "distant translator" and its effect on Educational Media Foundation (EMF) stations such as K-Love and Air-1 and their listeners. The filing includes a map used for determining whether a particular EMF station would be defined as a "distant translator" under the REC proposal.

REC states that it remains concerned about ownership of radio stations. "We feel that any inquiry or rulemaking procedure on broadcast localism should address national organizations such as EMF, Calvary Chapel of Twin Falls and American Family Association and their use of terrestrial non-commercial facilities to build a de-facto national network, especially when this is being done at the expense of providing opportunities for local organizations from being able to construct their own stations."

REC further states that two possible solutions to the problem are to "[e]ither clean up the mess by invoking ownership limits on non-commercial stations and make any stations over the limit subject to immediate displacement or by expanding opportunities for community stations by expanding the FM broadcast band to include the undesirable DTV Channel 6 (82-88 MHz) spectrum and to reserve the spectrum to new LPFM stations."

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The Recording Artist Groups (consisting of American Federation of Musicians, American Federation of Television and Radio Artists, Future of Music Coalition, the Recording Academy, and the Recording Artists' Coalition) (Groups)
(01/3/05)

The Groups support the localism Notice of Inquiry and the Commission's goal to ensure that broadcast stations are responsive to the unique interests and needs of local communities. The Groups state that promoting localism means ensuring that local communities can rely upon their local television and radio stations to deliver local news, including, local political coverage, weather, and community affairs. They state that consolidation has led to less local programming, more programming decisions being made on the national level, and less opportunities for local artists to access the airwaves. They oppose voice tracking because it allows for no local programming decisions and leads to the loss of local jobs.

The Groups ask the Commission to adopt standards to evaluate and measure stations' service to local communities, including, requiring stations to provide the Commission with data regarding programming/playlist decisions, advertising spot load, and PSA data. They suggest that the Commission subscribe to the same commercial databases that the music and radio industries use to evaluate their own performance. The Groups support a license renewal process that includes input from members of local communities.

The Groups support additional rules to prohibit new payola practices that control the radio and music industries today, and wants additional regulations to enforce the Commission's existing payola and sponsorship identification rules.

They support the Commission's commitment to low power FM stations, and encourage more LPFM stations in urban areas. While they support radio's transition to digital audio broadcasting (DAB), they ask that the Commission delay rollout until Congress has enacted full performance rights.

Recording Industry Association of America (RIAA) (11/1/04)

RIAA states that the consolidation in the radio industry has resulted in centralized decision-making concerning playlists, with many large radio station groups employing national or regional programming directors to determine music formats. RIAA agrees the Commission should review its sponsorship identification rules to determine whether the rules should be amended. Further, it recommends that the Commission should: (1) require that payments made by independent promoters to radio stations that are designed to influence playlists be disclosed over the air and (2) prohibit threats by radio stations to boycott the recordings of a record label or any artist unless the company or artist provides the station group with money, services or other valuable consideration.

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Rhodes, Naomi (11/1/04)

Ms. Rhodes asserts that the FCC should review its supportive positions on consolidation and adopt regulations to address voice tracking. Ms. Rhodes maintains that when radio shows are pre-recorded in different areas of the nation, the audience loses valuable local information, including weather and traffic information.

Rips, Grace M. (1/28/04)

Ms. Rips comments that she appreciates the religious broadcasting of the First Baptist Church.

Robin, Lois (8/23/04)

Ms. Robin states that radio stations no longer broadcast in the public interest. She says that years ago, the public interest requirement in the Federal Communications Act was enforced and that licenses were cancelled when the FCC found that a radio station was not acting in the public interest. Ms. Robin maintains that today, the operation of the radio station is only for the interests of the owners; as a result, she says the airways are full of nonsensical commercials.

Rooney, Jack E. (11/1/04)

Mr. Rooney asserts that commercial radio and television stations will not typically play the songs of independent artists. He claims that major record labels have an effective monopoly over what songs are broadcast. Mr. Rooney contends that the major record labels "orchestrate a multitude of elaborate payola schemes, either by establishing relationships with middle-men (independent promoters), who affect a disguised form of payola to the stations . . . or they use immense advertising budgets to induce the station owners to formulate playlists favorable to the interests of the corporate benefactor[.]"

Mr. Rooney contends that consolidation of the broadcast airways in the hands of too few industry players has allowed media giants to circumvent the law, resulting in censorship of small independent artists, monopoly control of the broadcast industry, restraint of trade by the major media producers, and a multitude of peripheral problems (including racketeering and graft). Mr. Rooney asserts that these issues could be greatly reduced if the FCC, the Justice Department, the Federal Trade Commission, and the Department of Labor would enforce the law.

Rutan, Charlie, filed under Numerous (11/1/04)

Mr. Rutan explains that he is an AFM member and that he makes a living playing the Bagpipe. Mr. Rutan is concerned about censorship and lack of diversity on the radio. He describes a situation involving WWFM, a classical music station operating in New

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Jersey, which has a number of translators in the region. When another full time Classics-only station was bought out by a larger network, he says the small signal from WWFM was the only Classical music broadcast in Philadelphia. He asserts that after the FCC "declared that WWFM's 107.9 translator frequency could be put to better use . . . , Philadelphia lost Classical music around the clock."

Salaiz, Marcela, filed under Numerous (8/23/04)

Ms. Salaiz explains that she is the mother of an autistic child. Ms. Salaiz comments that the local media and national media are not doing enough to cover the growing epidemic of autism, including the connection to vaccines.

Salinas Valley Chamber of Commerce (Salinas) (8/2/04)

Salinas expresses regret that it was unable to testify during the Commission's localism hearings in Monterey, California concerning the responsiveness of broadcast corporations to the towns and cities they serve. Salinas states that it can attest to the "outstanding efforts of Clear Channel in supporting our community." Salinas states that the success of the Salinas Valley Chamber of Commerce depends on the "charitable commitment of broadcasters like Clear Channel." According to Salinas, Clear Channel sponsors a number of its events and encourages the involvement of Clear Channel employees in the local community. Salinas states that it has had representatives serve on its board both from Clear Channel radio and television. Salinas applauds Clear Channel's "hard work and commitment to our community."

San Antonio AIDS Foundation (SAAF) (1/22/04)

SAAF expresses gratitude to Clear Channel radio and television stations for their deep commitment to the AIDS cause in San Antonio. SAAF states that Clear Channel has done much to promote the airing of local public service announcements, a valuable service to the local San Antonio community.

San Manuel Economic Development Foundation, Inc. (San Manuel) (11/30/04)

San Manuel states that San Manuel, Arizona, and the nearby communities of Mammoth and Oracle, are unserved by local broadcast media because the local channel was moved to play to the nearby major market of Tucson. San Manuel asserts that as a result, a nearby forest fire, a flood, and a fatal accident tying up traffic on the state highway for seven hours were not reported on any of the broadcast media. San Manuel envisions LPFM as the key to providing a local source for news, events and education. San Manuel recommends that the Commission consider opening further LPFM availability in accordance with the Mitre study, allow those previously denied for third channel interference an opportunity to refile, and open subsequent filing windows at reasonable intervals.

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Sarkes Tarzian, Inc. (11/1/04)

Sarkes Tarzian contends that the FCC has always correctly allowed broadcasters latitude in tailoring programming to the needs of its audience and community. It states that the Commission should not alter this approach. Sarkes Tarzian offers examples of its own stations' dedication to regularly scheduled community service programming. Sarkes Tarzian states that new regulatory intervention is unnecessary.

Schellhardt, Don, Esq. (2/9/05)

Mr. Schellhardt states that self regulation and market forces are not sufficient to ensure that large, national or international broadcasters act responsibly. By way of example, Mr. Schellhardt attaches a complaint he filed with the FCC regarding Emmis Communications, in which he cites their broadcast, over an eight day period, of "The Tsunami Song," which refers to the victims as "chinks" and "bitches."

Schellhardt, Don, Esq. (2/15/03)

Mr. Schellhardt supplements his comments of 2/9/2003 by reiterating that self regulation and market forces are not sufficient to ensure that large, national or international broadcasters act responsibly. Mr. Schellhardt states that more government oversight and sensitivity to listeners is needed, as opposed to more media consolidation. Mr. Schellhardt updates the complaint he filed with the FCC regarding Emmis Communications, in which he cites their broadcast, over an eight day period, of "The Tsunami Song," which refers to the victims as "chinks" and "bitches." Mr. Schellhardt states that since the filing of his first complaint, he has learned that the airing of this program was on the heels of an FCC fine against Emmis for other programming, and that Emmis in that proceeding misrepresented that it had fired an offending employee, whereas in reality the employee was moved to a different Emmis-owned station in a larger market.

Schellhardt Advocacy Services, filed on behalf of 63 Expedited Relief Petitioners and 42 Anti-IBOC Petitioners (SAS) (1/26/04)

SAS writes on behalf of 63 Expedited Relief Petitioners and 42 Anti-IBOC Petitioners. SAS contends that translator reforms are needed. SAS also contends that damage from IBOC interference should be limited.

Schiller, J. Zach (1/3/05)

In this written comment, Mr. Schiller expands on oral comments he delivered to the FCC Localism Task Force hearing in Monterrey, California on July 21, 2004. In general, Mr. Schiller supports creating "community time" on existing full power radio stations and

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advocates more stringent enforcement of broadcasters' public interest obligations. He also supports opening "filing windows" for more Low Power FM (LPFM) stations.

Mr. Schiller explains that his dissertation research examines the impact of Low Power FM on local communities. Mr. Schiller states that, for over two years, he conducted a study of one of the first LPFM stations in California, KRBS in Oroville. In researching KRBS, and in conducting interviews with LPFM groups across the country, Mr. Schiller remarks that those who participate in community-oriented radio stations, report feeling more connected to each other and to wider social forces, and report increased civic involvement. According to Mr. Schiller, in Oroville, residents involved in KRBS have provided access to an array of community voices, and not just to those espousing viewpoints held by those residents. Mr. Schiller states that, on KRBS's airwaves, one can hear a variety of political perspectives, obtain sources of information unavailable to most county residents, and listen to a host of cultural programs ranging from folk and bluegrass to the traditional music of the sizeable Hmong population in the area. In addition, Mr. Schiller notes, other Hmong-language programs serve the Hmong people of Oroville with a valuable source of information about education and social services.

Mr. Schiller states that his research shows that KRBS is not an isolated case and that LPFM is playing a "strong role" in civic renewal elsewhere as well. Mr. Schiller suggests several mechanisms to stimulate local civic renewal through participation in radio or other communications media. For example, Mr. Schiller believes that if the Commission were to encourage larger broadcasters to open a portion of their daily or weekly program grids to public participation by community groups or associations, more groups and organizations would participate in local communications media and civic participation would increase as well. Mr. Schiller submits that such efforts, where deemed to be genuine, should count towards a station's demonstration of commitment to its local public interest. Mr. Schiller suggests that these efforts could be reviewed by local constituents and Commission staff to evaluate a station's contribution to localism in broadcasting during license renewal periods.

Schober, Edward (9/1/04)

Mr. Schober believes that localism should be measured with the geography, interest group, market area, and protected service area of the station in mind.

Mr. Schober states that consolidation, not only in the broadcast marketplace, but in film, performance venues, and other electronic media, threatens to stifle creativity and raise the specter of monopoly power. He believes encouraging smaller community based media outlets will counteract this monopoly power because the smaller outlets are not economically feasible for large entities to manage.

Mr. Schober states that the decisions concerning local content are made by employees of national entities, not by owners who are involved in the social and economic life of the

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individual markets served. He maintains that programming should be defined as "local" *if it is about, developed within, for use in, fosters commerce, or supports public safety of a community.* For LPFM programming purposes, Mr. Schober states that locally produced programming should be defined as material where 80% of the programming is produced live or recorded within the service area of the station.

Mr. Schober states that political broadcasts are of limited value if they consist of only sound bites. He also states that for every four minutes of political advertisement sold, one minute should be banked for debates or other noncommercial program length political programming.

Mr. Schober contends that payola and hidden advertising is nearly impossible to cure, and that the advent of program placement in movies which are subsequently broadcast is another area of concern.

Mr. Schober states that there is no particular evil in voice tracking, as long as it is not coupled with national play lists and is developed for the individual station.

According to Mr. Schober, LPFM stations and Noncommercial Educational FM Stations should be permitted to have limited advertisements adjacent to and within locally produced programming so that there is an economic foundation for well produced local programming. He states that LPFM Stations should be permitted to be translated by FM translators, but because of their intensely local focus, there should be more restrictions on the distance that the translator must be from the LPFM station than from a full service FM station. He also states that Class D Noncommercial Educational FM stations should be converted to LPFM in order to optimize the use of spectrum and decrease the cost of administering these grandfathered stations. Similarly, FM Translator owners who meet the ownership requirements for LPFM stations should be able to convert the FM Translator to an LPFM station by application.

Mr. Schober states that FM translators should be allowed to air local programming in place of similar programming on the full service station. Setting specific geographic, economic and interest criteria on the location of an FM translator relative to the primary station is essential. According to Mr. Schober, once limits on the location of translators relative to the primary station are set, there is no reason to limit the method of program delivery from the primary station to the translator. Mr. Schober states that satellite, Internet, ISDN, microwave and direct-off-air should all be permitted.

Mr. Schober states that Class B, C and D AM stations should be allowed to be the primary stations for FM translators. He maintains that these stations often are the only source of local programming, and that they do not provide service to their entire daytime service area at night. He also states that full time service to communities is required, and there should be no segregation of the aural services as far as access to translators.

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Schwartz, Arthur (8/23/04)

Mr. Schwartz states that it is time to rein in the freedom of stations to focus on profit ahead of quality. He states that we should return to a time when all segments of listeners were accommodated rather than just the talk and rock segments. He states that in Sunnyvale, CA, two FM stations which were devoted to classical music were changed to all talk formats after deregulation occurred. Mr. Schwartz says that the one remaining station that broadcasts classical music changed ownership and vastly increased the time devoted to commercials, while it decreased the quality of the classical music programming.

Seidenberger, Lucille (1/28/04)

Ms. Seidenberger submits a letter in response to a request by Pastor Don Guthrie, First Baptist Church, San Antonio, TX, to listeners to write a letter on the topic of the pastor's programming. Ms. Seidenberger requests that the program not be disconnected or taken off the air.

Service Employees International Union (7/26/04)

Service Employees International Union asserts that increased ownership and cross-ownership of media broadcasting places critical broadcast decisions in the hands of fewer and fewer people, decreasing diversity in broadcast decisions, hampering the democratic process, and decreasing the ability of media to meet technical parameters necessary to allow expeditious increase in service (broadcast).

It states that the FCC could require a greater percentage of time for public programs; require corporations to hold regular local votes on what the programming should be; and require public access to the station daily for the public's messages.

Service Employees International Union also asserts that only when media reform occurs, and only when corporate control of media is decreased, will true potential for localism and democracy in America blossom.

Sinclair Broadcasting Group, Inc. (Sinclair) (11/1/04)

Sinclair states that broadcasters are already addressing the needs and interests of their communities of license through a wide variety of programming. Sinclair states that broadcasters have a strong market incentive to foster localism in broadcast programming and are presently doing so without any direct Commission intervention.

Sinclair states that its centralized news production facility, known as "News Central," enables it to allocate more resources to gathering local news and to serve areas that otherwise would be cost prohibitive to serve. Sinclair states that this concept is similar to

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the relationship that networks have with affiliates with regard to international news in that News Central creates a single source for non-local news while retaining a full complement of news personnel to report on and produce local stories. In addition, Sinclair states that each of its local managers has wide discretion in meeting the local needs of their communities. Sinclair also states that while centralized news production has eliminated a few duplicative jobs, it has created more jobs by increasing the number of stations that are able to air newscasts.

Sinclair Broadcast Group, Inc. (Sinclair) (01/3/05)

Sinclair files reply comments to “refute the criticisms of a vocal minority of individuals who have complained about Sinclair’s programming, including News Central, the decision to preempt a particular Nightline episode in May of 2004, the alleged decision to air ‘Stolen Honor: Wounds that Never Heal,’ and the broadcast of ‘A POW Story: Politics, Pressure and the Media.’” Sinclair contends that “there are serious questions regarding the legitimacy” of the criticism of its programming. It asserts that many appear to be form letters generated on web sites created by organizations with specific agendas and, thus, are not letters from viewers who have any real knowledge as to the programs or subjects on which they comment.

Sinclair also contends that the alleged viewer letters are factually inaccurate. For example, Sinclair states that, contrary to the accusations in many of those letters, Sinclair never publicly announced that it intended to air a documentary entitled “Stolen Honor: Wounds that Never Heal” and, in fact, that it did not broadcast the program. It states that the complaining individuals simply “dislike Sinclair’s programming decisions and desire to see programming that confirms their own viewpoints.” Moreover, Sinclair notes that both the Commission and the federal courts have given broadcasters discretion on the scheduling, selection and presentation of programs.

Skye Song Fell, filed under Numerous (8/23/04)

Skye Song Fell states that the people need to be heard from more regularly and taken more seriously. Skye Song Fell asserts that mass media dumbs down America, and that media and self-selected elected representatives are attempting to control and gag the American public.

Skye Song Fell states use of the following sources of news and information predominantly: National Public Radio, the BBC, and the New York Times. Skye Song Fell states that commercial television provides packaged propaganda “designed to keep the American majority confused, misinformed & in fear.”

Skye Song Fell states that the Commission should read the Localism Forum comments, discuss, deliberate and recognize its major responsibility for protecting free speech in America.

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Smith, Thomas C. (11/2/04)

Mr. Smith states that his comments are based on his experience as a broadcast technician for the last 35 years in both commercial and public broadcasting and in both television and radio.

Mr. Smith states the Commission has never had an effective regulatory gauge to determine how well stations are serving the community. He states that, because the rules do not set any particular method of surveying the community and as every station and community is different, the rules should remain as is. Mr. Smith states that the methods a station uses, and the FCC requires, to determine service to the community of service should reflect the needs of the listener and good journalism and not allow interest groups to force their agenda on the station or the listener. Mr. Smith also states that the Commission is so focused on news and public affairs that it might not recognize other local programming is also important and can bring a community together. Mr. Smith states that a station should be able to use programming produced by another station on some common issue to both stations, and that sponsoring a community event or fundraiser should count towards the station's local programming requirements and public service obligation.

Mr. Smith states that while free airtime to a political candidate will possibly be helpful to an under-funded challenger, provision of free airtime in such cases would be difficult to regulate, especially as to who would be eligible for receiving it.

Mr. Smith states that the Commission is covering the disaster warning issue in another proceeding and that comments on the Emergency Alert System (EAS) and any disaster warning issues should be dealt with in there. Mr. Smith states that most stations seem to do a reasonable job with storm warnings and Amber Alerts, but that he is concerned only with storm warnings and unattended stations, because unattended stations only air a warning from the EAS system as it comes in, without repeating or updating that a live announcer could provide.

Mr. Smith states that the payola rules seem clear: that when one airs something for payment, the payment must be identified. Mr. Smith also states that any loopholes in the current rules must be closed. He states that the issue exists with music and some appearances where money exchanges hands and that the Commission needs to look at ways to police it.

Mr. Smith states that, with regard to voice-tracking, given the investment involved, anyone operating up to eight stations without anyone in control speaks poorly for their view of safety and operation of their business. Mr. Smith states that there should be a requirement that stations housing large, multiple operations be required to have a live announcer on duty at one of the stations or some other method of having someone on the air in a short time in an emergency. Mr. Smith asserts that, in any markets, most of the

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transmitters are not being fed with live programming in late evening and overnight and, *that this constitutes a safety issue, because it is possible that no station in a market could react to an emergency.*

Mr. Smith states that it might not be possible to regulate national play lists. Saying they changed the dynamics of record releases, Mr. Smith states the he hopes some student/college stations and the few locally programmed stations remaining can stay competitive to influence both new music and changes in the way some group stations are programmed. Mr. Smith states that competition from satellite radio might be the best force to change music programming with the large number of different music channels, and the market place. Mr. Smith also states that regulation will not cause any change in music and other types of programming as well as the survival needs of the broadcaster, in the highly competitive marketplace of satellite radio, MP-3s, CDs, and other recorded music sources.

Mr. Smith states the current license renewal rules are correct and realistic. He states that one should not have to go through a process of competing with other groups for a license at renewal time, given the investment involved in a broadcast facility and that others should only be able to apply for a license if the license has been revoked. Mr. Smith equates a broadcast license to holding a franchise in business, *i.e.*, if one does not abide by the contract with the parent franchise firm, one loses the right to sell the product and states that the FCC should consider license renewal the same way. Mr. Smith also states that increased enforcement by audits and other methods should be reserved for known bad operations and that any standard used must be clear, simple, and enforced. Mr. Smith states that public files and renewal standards can be confusing and can cost stations money -- in fines and possibly, their license. Mr. Smith also states that service disruption caused by contested renewals and loss of a license can be as bad as a station's not meeting or barely meeting its obligations. He contends that license renewals and possible license revocation must be considered as serious actions and should not be taken lightly.

Mr. Smith believes that allocating spectrum for the licensing of new stations might have the most impact on increasing localism. He contends that, due to increased ownership and consolidation, new stations generally would be placed mainly in small communities where local service might be needed the most or be of the low-power nature in both TV and FM. Mr. Smith states that many problems with localism came from unintended results of rule changes. He states the Advisory Committee on Diversity for Communications in the Digital Age ("ACDCDA") report on FM ownership might be a better method than the current system of allocations to a small community where, in reality, the studio is located in a larger community and from which service is provided.

Mr. Smith states that the Commission's rules should be changed to allow for a non-profit group to be formed solely to apply and operate a LPFM station, as this might permit more community-based stations to be created. As for FM translators and, to some extent LPTV stations, Mr. Smith states that the many applications for them are the result of an

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unintended loophole in the translator rules. Mr. Smith states that the intent of the rules was to permit statewide educational networks to serve areas obstructed by mountains and other terrain, and he wants to see FM translators limited to the state in which a statewide network is located.

Mr. Smith provides various technical engineering parameters for all other FM translators and wants to see the contour for commercial stations increase. Mr. Smith states that when final full-power DTV stations are made low-power, DTV could provide good local service to many communities.

Mr. Smith states that the final allocation issue was discussed in the ACDCDA report on FM ownership and that, while pleasing to those favoring auctions, auctions are grossly unfair to the person petitioning for the allocation. Mr. Smith proposes a first-come, first-served one-step allocation method, with objections permitted against such applications. He states that his approach would solve the non-commercial application issue with non-reserved channels.

Snider, Wolf (4/26/04)

Mr. Snider states that in today's radio landscape, greed and power rule the airwaves. He claims the radio business no longer focuses on the "product" or the "customer," but, instead, on the shareholder and the profit margin. He asserts radio was meant to entertain, inform, and educate the public, and that this primary goal cannot be achieved by stations whose motives do not focus on that which directly benefits the listener.

Consequently, Mr. Snider commends the FCC on its recent investigation into the current status of "localism" in radio. He claims now is the time that radio stations are forced to return to the foundation elements for which radio was developed, *i.e.*, to entertain, inform, and educate.

Mr. Snider also wants to thank the FCC for its perseverance in the creation and implementation of the Low-Power FM initiative. He states this initiative is a great step towards giving at least a small portion of the airwaves back to the community and helping to restore the magic that once existed on the FM dial.

Southeastern Media/WFXG (WFXG) (10/28/04)

WFXG provides a list of various civic and charitable events that it has sponsored or participated in promoting. In addition, WFXG states that several staff members participate on the boards of various local organizations.

WFXG states that it provides EAS messages and Amber Alerts for missing children, and that it also airs numerous public safety announcements for local non-profit groups. Several examples are provided.

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Stevens, Douglas R., filed under Numerous (11/1/04)

Mr. Stevens explains that he is a professional composer/songwriter involved in writing music for film and television. He asks that in the course of the FCC's public proceedings on the issue of localism that the interests of local artists and listeners be as strongly considered as the interests of corporate media.

Stiles, Jean (1/28/04)

Ms. Stiles comments that she appreciates the religious broadcasting of the First Baptist Church, because it allows her to "attend" church through her TV. Ms. Stiles states that this is helpful because she and her husband are not well.

Summit Media Broadcasting (Summit) (9/1/04)

Summit contends that the FCC can promote localism in broadcasting by eliminating a double standard it has established for commercial and non-commercial operators. Summit argues that the FCC should just treat them equally. It states that where non-commercial operators own AM & FM channels in the commercial bands, they should be made to maintain local studios and employees, and to provide public files and public access. Summit also states that the FCC should not permit translators to be fed by satellite delivery and make them adhere to the same regulations as commercial operators. Summit believes that this will open up thousands of FM channels for LPFM. Summit states that all future FM and AM auctions should establish a Local Preference Credit to foster minority and small business participation in broadcasting, in turn providing local programming to the communities of license. Finally, Summit states that the FCC should grant AM station owners of Class C and Daytime only stations a one time only opportunity to exchange their AM license for an FM channel to serve the same community if a channel is available in their area.

Sunbelt Communications Company (Sunbelt) (11/1/04)

Sunbelt contends that the establishment of new localism rules and policies will only create more confusion for broadcasters and will punish the majority of broadcasters who effectively serve their local communities. In addition, Sunbelt comments that competition within the marketplace between broadcasters, and not additional regulations, is the best method of serving local communities.

Sunbelt believes that current FCC rules and regulations are sufficient to ensure that broadcasters meet their responsibilities to their communities and that instituting new rules and procedures to track a few offenders will only punish broadcasters who meet their responsibilities to their communities.

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Sunbelt also provides examples of its commitment to localism through volunteerism and off-air community service, school donations, preemption of national programming for local events, and provision of free air time for political candidates and other civic political programming.

Sywak, David (11/1/04)

Mr. Sywak believes the musical repertoire of stations is limited, and that all stations sound alike. He states that public radio should not be the only avenue for music exploration, and that if local stations had the freedom to play their own choices, many would begin to learn of great local and regional talent.

Taggart, Deborah (12/27/04)

Ms. Taggart states that the FCC should adopt a clearly defined public interest standard that would ensure that broadcasters air, at a minimum, three hours per week of civic or electoral affairs programming. Ms. Taggart also states that the public interest obligations should be defined before the FCC considers any action on "must-carry."

Tedder, Mary (1/28/04)

Ms. Tedder submits a letter in response to the letter writing campaign organized by Pastor Don Guthrie, First Baptist Church, San Antonio, TX, advocating that the pastor's programming not be disconnected or taken off the air. Ms. Tedder informs Guthrie that he can count on her "support in favor of retaining local control."

Ms. Tedder contends that local stations should be allowed to retain control of local airtime on television. Ms. Tedder also contends that local stations are more interested in their viewer's interests, and that on the national level the concern for local interests would be minimal, and that national level programming has too much sex and violence.

Televiscentro of Puerto Rico (Televiscentro) (1/3/05)

Televiscentro contends that there is no need for further regulation of broadcast localism. Televiscentro agrees with commenters who argue that market forces and the Commission's existing rules are sufficient to motivate television broadcast stations to serve the interests and needs of their communities.

Televiscentro also argues that in Puerto Rico's highly competitive broadcast market, WAPA and the island's other leading stations compete vigorously for advertising dollars. Ascending to Televiscentro, advertisers view Puerto Rico as a single market and, accordingly, expect to reach the entire island when purchasing advertising time, and as a result, advertisers are drawn to WAPA's unique line-up of locally oriented and topical programs. Televiscentro claims that to remain competitive with its network-owned and/or

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affiliated competitors, WAPA gathers information from the community to determine what types of local programming to air.

Televiscentro comments that to compete in the Puerto Rico broadcast market, WAPA must be committed to listening to its viewers and serving their needs. According to Televiscentro, because market forces provide sufficient incentives for broadcasters to air local programming, it is unnecessary for the Commission to impose further regulations in this area. Televiscentro asserts that the Commission should continue to rely on market forces and its current requirements to encourage broadcast stations to air programming that is responsive to the unique circumstances present in their communities, and that existing regulations regarding a broadcast station's main studio, local public inspection file and renewal applications, for example, are sufficient to maintain a system of local broadcasting.

Televiscentro states that an attempt by the Commission to prescribe a quantity or quality of local programming would serve only to obstruct the efforts of broadcasters to tailor local news and programming to the needs and interests of their communities of license and to their station's resources. According to Televiscentro, the issues that the FCC would have to address to develop such rules are issues that should be decided by local stations.

Televiscentro argues that further regulations will affect how a station determines and meets local needs, and will only impede the ability of a local station to manage its resources in order to be responsive to its community. Televiscentro states that local broadcast stations are in a far better position than the Commission to assess and respond to the needs and desires of their audiences for local programming.

Televiscentro further contends that the FCC should credit the community service activities of stations and their staff as serving the goals of localism, explaining that local educational programs also benefit from the volunteer efforts of WAPA employees.

Texas Association of Broadcasters (TAB) (3/4/04)

TAB submits approximately 4,970 pages of letters, e-mails, postcards, notes, newspaper articles, letters-to-the editor, plaques, and related materials describing TAB television and radio station members' performances. More particularly, the submitted items relate to, collectively, 29 Texas areas and for each area, the TAB categorizes the submissions related to the television and radio stations mentioned or referred to as "Localism Success Stories." The 29 Texas areas (in alphabetical order) are:

Abilene Area Broadcasters
Amarillo Area Broadcasters
Austin Area Broadcasters
Beaumont Area Broadcasters
Bowie, TX Broadcasters

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Brenham, TX Broadcasters
Bryan-College Station Area Broadcasters
Carthage, TX Broadcasters
Corpus Christi Area Broadcasters
Dallas-Ft. Worth Area Broadcasters
El Paso Area Broadcasters
Hereford, TX Broadcasters
Houston Area Broadcasters
Killeen-Temple Area Broadcasters
Laredo Area Broadcasters
Liberty, TX Broadcasters
Lufkin-Nacogdoches Area Broadcasters
Lubbock Area Broadcasters
McAllen-Brownsville Area Broadcasters
Midland-Odessa Area Broadcasters
San Angelo Area Broadcasters
San Antonio Area Broadcasters
Sherman-Denison Area Broadcasters
Snyder, TX Broadcasters
Waco Area Broadcasters
Texarkana Area Broadcasters
Tyler-Longview Area Broadcasters
Victoria Area Broadcasters
Wichita Falls Area Broadcasters

The submitted material generally are from a wide assortment of organizations, groups, entities, and a number of individuals, as well as from some Federal, State, and local governmental agencies, essentially thanking a given broadcast station or expressing appreciation for something the station did involving a matter pertaining to community-responsive programming aired and off-air community service.

Thomas, Kathryn (10/12/04)

Ms. Thomas contends that Sinclair Broadcasting's decision "to force their stations to air what is clearly a strongly slanted program days before the election" exemplifies the dangers of media consolidation when coupled with "ideological bias." She further contends that when large companies control the airwaves in this manner, the emphasis is on "the bottom line" to the exclusion of the needs of a democracy. Ms. Thomas also asserts that, in this age of "mega-news service," where increasing numbers of newspapers, radio stations, television stations, and news services are controlled from distant locations, it is becoming increasingly difficult to find programming and coverage that reflects local issues. She describes this trend as "regrettable." She also urges the FCC to prohibit large corporations from forcing biased programming on their subsidiaries, and hence on the general public. Finally, Ms. Thomas asserts that Sinclair's

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actions show why media ownership rules need to be strengthened and why the broadcast license renewal process needs to be more rigorous.

Three Eagles of Mason City, filed by Darlena Barz (10/29/04)

Ms. Barz catalogues the variety of ways Three Eagles of Mason City serves the needs of its community and addresses local issues, including: 75 local newscasts every week; coverage of fundraisers and high school musicals; interviews with different members of the Mason City Chamber; and providing a forum every week for local leaders to address issues that are of concern to the community.

Ms. Barz notes that all stations carry school and business closings and delays, and also bring listeners the most up to date forecasting of weather that they can. She states that educational messages encouraging people to vote are run serially, the Humane Society features animal for adoption every week, local church services are carried on all three stations as are local sports and tournament action from around the area, and that safety messages are carried from the Iowa Highway Patrol each holiday.

Ms. Barz concludes that Three Eagles of Mason City, KLSS, KRIB and KYTC are there to serve the local community and that no changes are needed.

Three Eagles Communications, filed by Greg Wells (11/1/04)

Mr. Wells states that Three Eagles Communication provides local news, public affairs, emergency programming, political programming and cultural programming. Mr. Wells provides several examples of these activities such as covering city council meetings, and Chamber of Commerce events, allowing audience members to be "Guest DJ", community calendar of events, and issues of Methamphetamines. With respect to emergency programming, Mr. Wells states that the station group conducts severe weather coverage from spring to fall. Mr. Wells states that political programming includes debates between candidates for public office and hourly election coverage in November.

Mr. Wells notes that cultural programming includes live morning Polka shows and Football, boys Basketball, Girls Volleyball, Wrestling, Track and Field and Baseball. Mr. Wells states that stations also cover agricultural markets and events, and that staff members are often involved with multiple organizations. Mr. Wells observes that rules would slow him down in serving listeners, and the station staffs do not need instructions on what they do every day, and that they can do this better without the FCC's help.

Three Eagles Communications Inc, filed by James Hockett (10/29/04)

Mr. Hockett lists the activities of KJAM radio in Madison SD. He states that KJAM has an emergency plan in place to notify the proper people, has a fulltime news director and

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that local news is presented about six hours per week, and provides play-by-play of high school football, basketball and volleyball as well as university sports events.

He provides the following additional examples of KJAM's efforts in furtherance of localism: a website providing local news; editorials; coverage of all local school board meetings and county commission meetings; market summaries with emphasis on agricultural programming; and special programming like broadcasts from the 4-H grounds during special events, radio-athons for local organizations, broadcasts for 'Support Our Troops rallies', Flag Day ceremonies, and Veterans Day programs.

Mr. Hockett states that KJAM has a volunteer group of community members who discuss community issues, and that the radio station becomes a source of information during any bad weather situations. Mr. Hockett also states that KJAM covers the political season in October culminating in the General Election, and that staff members gather stories of local candidates and KJAM broadcasts debates and forums.

Mr. Hockett also states that members help organizations on a volunteer basis.

Tinsley III, William W. (12/31/03)

Mr. Tinsley focuses on low-power radio, stating, "[t]he first step in restoring localism is protecting, and expanding, Low Power Radio." Mr. Tinsley urges the Commission to address the Amherst Alliance petition, deal with In Band On Channel (IBOC) digital radio interference, repeal third-adjacent spacing requirements for low-power radio, and establish a new low-power AM radio service.

TK Associates International (TK) (6/28/04)

TK comments on a report on "Future of Media Within Democracy." Specifically, TK disputes the conclusion that the quality of South Dakota media has always been commendable for meeting the information requirements of their respective communities. TK contends that many local newspapers and radio stations provide inadequate coverage of local issues. TK indicates that the vast majority of "weeklies" in Western South Dakota, even though they are in Indian Country, do not cover news of Native American constituencies and readers.

Tri State "Like It Is" Support Coalition (Tri State) (1/17/06)

Tri State submits a cover letter attaching over approximately 1,000 letters complaining against station WABC-TV in New York for changing the format of the show "Like It Is," characterized in the letters as a public affairs show representing people of color. In the letter, Tri State also requests that a localism hearing be held in the New York/New Jersey area. Finally, Tri State also expresses general dissatisfaction with how people of color are portrayed in the media.

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Trinity Christian Center of Santa Ana, Inc. (Trinity) (11/1/04)

Trinity states that increased regulation of the broadcast industry is not needed to promote the interests of local communities and groups. According to Trinity, current Commission regulations, as well as prevailing market conditions, more than adequately protect these interests and ensure that broadcasters provide programming that meets the informational needs and interests of the general public, significant segments of it, and local communities. Trinity states that additional regulation of broadcasters in the name of promoting the public interest would increase and divert the amount of financial and other resources that broadcasters would have to devote to ensure compliance, versus developing and presenting new and innovative programming. Trinity also states that such regulation would require the Commission to become further entrenched in the dangerous business of state-mandated content regulation of speech.

Tschirhart, Sherry K. (1/28/04)

Ms. Tschirhart writes in support of airing Sunday church services from First Baptist Church in San Antonio, TX.

Turner, Roy (11/1/04)

Mr. Turner comments that local radio stations support local musicians playing gospel, bluegrass, and country. Mr. Turner comments further that musicians deserve the opportunity to be compensated for their music.

Tutera, Joseph (7/6/2006)

Mr. Tutera states that, in his 26 years of broadcast experience, he has seen opportunities for the small broadcaster in radio ownership diminish greatly, if not altogether disappear. Mr. Tutera believes that the small, privately held broadcast company has lost the incentive to find new radio frequencies and develop them into potentially successful ventures. Companies that do not expend precious resources to find and develop the frequency are treated the same as those who do at the government auction.

Mr. Tutera advocates the introduction of The Fair Bidding Credit Initiative (FBCI) targeted at AM/FM radio service. He states that the broadcaster who can demonstrate that a community does not currently have a licensed broadcast service, i.e. an AM or FM licensed to the city, would receive a FBCI credit at the government auction. Mr. Tutera states that currently, the FCC gives no credit to the individual who finds an available channel; while the FCC does give an individual without any broadcast ownership a 25% credit at the auction, it is not enough incentive for the small broadcaster who has found a channel and pays for associated costs. Mr. Tutera suggests that the founder of the channel get an additional 50% credit at auction time. The small broadcaster wishing to

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apply with The Fair Bidding Credit Initiative (FBCI) would have to show intent that the station would be locally owned. The owners would be required to operate the station day to day, and they would be unable to sell or transfer the license for at least three years.

United Radio Broadcasters of New Orleans (12/18/05)

United Radio Broadcasters of New Orleans, a cooperative alliance of Entercom New Orleans License, Clear Channel Broadcasting Licenses, Inc., and Apex Broadcasting, Inc. submits a transcript of the testimony of Diane Newman, Entercom's Operations Manager at Station WWL(AM), New Orleans, Louisiana, and the written statement of Dick Lewis, Clear Channel's Regional Vice President for Louisiana and Southern Mississippi, delivered at the FCC's Open Meeting on the Effects of Hurricane Katrina, held in Atlanta, Georgia on September 15, 2005. Ms. Newman's testimony and Mr. Lewis' statement describe how United Radio Broadcasters of New Orleans was created as a partnership between competitors in the New Orleans radio market. Following Hurricane Katrina, Ms. Newman and Mr. Lewis describe how, as other means of communications failed or became impractical, radio remained the most dependable source of news and information for survivors of the storm and first responders on the scene. According to Ms. Newman and Mr. Lewis, the alliance between, and the role played by, Clear Channel and Entercom in the wake of Hurricane Katrina exemplifies the importance of radio service to local communities, especially in times of crisis. The statement of Mr. Lewis includes, as an attachment, the September 14, 2005, comments of Bert Brown, American Tower Corporation, Regional Operation Manager Broadcast Group describing how residents throughout the Gulf region depended on radio broadcasts to stay informed about the storm.

United Way of Santa Cruz County (7/27/04)

Ms. Goeke, Executive Director of United Way of Santa Cruz County, expresses regret that she was unable to testify at the Commission's Localism Field Hearing in Monterey, California. She expresses appreciation for the local newscasts of station KSBW-TV8 because, in her view, they are eager and responsive to cover critical local news stories that impact the quality of life of Santa Cruz County residents. Ms. Goeke believes that it is "vital" that local news and analysis be a priority for television broadcasters across the United States generally and for her community's residents to become aware, knowledgeable and ultimately to become engaged in making Santa Cruz County a better place to live. Ms. Goeke describes KSBW-TV8 as a "true partner" in informing Santa Cruz County residents and believes that other news organizations could learn from KSBW-TV8's example.

Univision Communications Inc. (Univision) (11/1/04)

Univision opposes any mandatory programming edicts, arguing that they would be harmful to the public interest, as they limit a station's ability to serve the actual needs of

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its community in favor of a standardized federal government approach that is ineffective. It notes that each Univision station has developed a successful approach to serve its community, and broadcasters do not need additional regulation to enhance their efforts. *Univision urges the Commission to retain its current regulatory model.*

Univision details its extensive efforts to serve local communities, as well as its overarching commitment to localism. Univision states that it already has an effective dialogue with local residents, government, and civic groups to determine the needs of their communities. Univision provides examples of its stations' ascertainment efforts, local news programming, political programming, PSAs, and its efforts to disseminate emergency information during natural disasters and other local or national crises. Univision also states that its stations promote local artists through programs especially devoted to them. Univision also provides examples of its stations' non-programming, community-service, efforts aimed at building a better community.

Univision Communications Inc. (Univision) (1/3/05)

Univision argues that the evidence before the Commission in the localism proceeding demonstrates that broadcasters are serving both the specific needs of their local communities and the public interest in general. Univision opposes additional regulations to promulgate localism, arguing that such regulation is unnecessary and counterproductive. Univision thus urges the Commission to retain its current regulatory model, which allows broadcasters the flexibility to discern and meet the needs of their own local community, while establishing a necessary balance between meeting the short term needs of the public, and maintaining an economically viable broadcast operation that can continue meeting those needs for the long term.

USC Annenberg School for Communication (USC Annenberg) (9/1/04)

USC Annenberg urges the Commission to require broadcasters to provide public inspection files concerning significant treatment of community issues online in standard form. According to USC Annenberg, doing so would allow researchers, and the public in general, to much better evaluate the extent to which stations are serving their local communities, and would allow quantitative measurement addressing public service requirements of broadcasters. USC Annenberg also recommends that broadcasters be required to include in their online Public Files archives of selected audio and video programming excerpts. USC Annenberg states that, "[i]n order to study and promote the goals of localism, information is the key to assess the status of broadcast service to localism needs."

The comment includes as an appendix with Martin Kaplan's testimony to the FCC Broadcast Localism Hearing, July 21, 2004, which emphasizes poor local television news coverage of the 2002 election. Also included is a study, "Local TV News Coverage of the 2002 General Election," which includes data on the extent and type of news coverage.

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USS Lexington, Museum on the Bay, filed by McNorton, Sandi (1/28/04)

Two letters – one from USS Lexington – Museum on the Bay (“the Museum”), Corpus Christi, and the second from Palmer Drug Abuse Program (“PDAP”) -- each discusses Station KIII TV Channel 3.

The Museum states that, in 1992, the people of Corpus Christi and surrounding communities undertook to create a world-class museum on board the retired aircraft carrier, USS Lexington, and under Texas laws, this 501(c)(3) entity offers one of the most unique educational opportunities in this part of the country. The Museum asserts that, from the beginning, KIII TV Channel 3 has been of great service to the Museum by assisting it on-air with volunteer recruitment to partner in promoting a new film in the Museum’s theatre. It states that, as a direct result of Channel 3’s public service announcements, countless visitors to South Texas have visited the Museum or attended a fundraising event, and the Museum is grateful.

PDAP states its program, in Corpus Christi, helps young people, young adults, and families in South Texas overcome affects of chemical abuse and addiction. It claims KIII-3 for 24 years has played a major role in informing citizens of South Texas about PDAP’s free services; the station has produced several informative videos about PDAP’s services and has distributed to other television stations public service announcements about PDAP services and fund raising activities, as well as appearances during the news and local talk show. It states its very success is directly attributable to KIII-3’s commitment to helping PDAP explain its message to those who might be in need.

United States Conference of Catholic Bishops (USCCB) (11/1/04)

The United States Conference of Catholic Bishops (USCCB) states that a significant number of Catholic dioceses have advised it that local broadcasters are not interested in carrying the programs and public service announcements (PSAs) produced by the dioceses and that when they do, it is at an increasingly high cost to the dioceses. The USCCB asserts that the local broadcasters’ programming decisions regarding religious programming indicate they are more interested in commercial gain than in serving their communities’ interest in religious matters. It maintains that since the beginning of deregulation in 1984, religious communicators have seen a steady decline in broadcast programming meeting local religious needs. It urges the FCC to reconfirm the broadcasters’ obligation to serve their local communities with programs which respond to those communities’ needs and interests, including their religious interests, by promulgating regulations.

Valencia, Cuauhtemoc (1/28/04)

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Mr. Valencia states his letter (and accompanying compact disc package) pertain to misuse of information that Clear Channel has reported on Mr. Valencia's family business. *He claims great damage has been caused to the business and family reputation, and has caused embarrassment to his community and his clientele.* He asserts the family business has been wrongfully reported to the Texas Health Department ("THD"), and a retraction is warranted. He asserts big business is gaining too much power and manipulating without any remorse, and he requests that the integrity of the country be regained by having Clear Channel become responsible for its continuous wrongful actions locally and abroad.

Mr. Valencia's description of the contents of the compact disc pertain to, collectively, pictures describing Mr. Valencia's flea market; the actual 10 p.m. report on Station WOAI channel 4; THD forms and correspondence to, and from THD re a "Cease and Desist Order" in selling contact lenses; WOAI website report about the investigation of Valencia's business and the station's "Trouble Shooters" receiving an award after falsely reporting on Valencia's business; and attempts to get the station to reevaluate its information and get its facts straight.

Valentine, John P. (1/28/04)

Mr. Valentine contends that media consolidation is dangerous as evidenced by Sinclair Broadcasting's forcing its station to air an anti-John Kerry documentary during the elections. Mr. Valentine believes that Media Ownership rules should be strengthened, and that it is important that people see individuals from their communities and more substantive news on their local broadcast channels. Also, he states that the license renewal process should involve more than just returning a postcard.

Viacom (11/1/04)

Viacom contends that its stations fully serve local programming needs including local news, public affairs, politics, civil and cultural events, and critical emergency-related programming. Attachments describe Viacom and Infinity broadcast station's community responsive programming and off-air community service efforts.

Viglielmo, Emily (11/22/04)

Ms. Viglielmo, president of the Hawaii Chapter of the Society of Professional Journalists, urges the Commission to resist the growing concentration of media ownership, arguing that the loss of local control through large media companies serves neither the public nor the craft of journalism. According to Ms. Viglielmo, history shows that local news outlet control is reduced in large media companies and duopoly and crossownership results in staff reductions. Ms. Viglielmo contends that these "cost savings" rob the public of good independent news, which she describes as the cornerstone of public service, and helps to create localized media monopolies. Ms. Viglielmo further contends that consolidation

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robs the public of a “soapbox” for minority views and reduces the competition in reporting the news, which otherwise ensures that viewers get the best information available on a timely basis.

Rather than attempt to be more competitive in local communities, Ms. Viglielmo asserts that TV stations have tried to consolidate and cut costs to increase profit margins. She maintains that, as a result of cost-cutting practices, staff positions go unfilled, experienced (and costly) reporters are substituted with beginning-level reporters, and the end result is less substantial news reporting. In Hawaii, Ms. Viglielmo reports cuts in local programming, noting that public affairs programs that formerly ran on weekend afternoons, now air only on public access television. She also states that public affairs programs that formerly aired during unprofitable hours of the weekends have been supplanted by infomercials. Where locally produced, and highly rated, magazine shows once ran in prime time, according to Ms. Viglielmo, they have now been cut altogether as companies look to cut costs and improve the bottom line.

Ms. Viglielmo asserts that reduced competition through duopolies or cross-ownership, reduces the drive to create new and different programming. At the same time, Ms. Viglielmo contends, the creation of fewer outlets from which people can advertise – through duopolies and cross-ownership – drives up the cost of advertising. Ms. Viglielmo complains that station owners tend to answer to shareholders ahead of viewers. She argues that, in many cases, stations fail to run local political or public affairs programs because: (1) such programs may require additional staff who tend to be older, higher paid and more experienced; (2) consultant reports have declared political coverage to be boring; and (3) it is generally easier and cheaper to devote news or other local programs to crime, accidents or features.

Ms. Viglielmo also asserts that, in recent years, political or government reporters have disappeared from local television stations. Whereas Hawaii television stations formerly had two state government reporters and a Honolulu City Hall reporter on staff, Ms. Viglielmo states that three of four Hawaii stations now retain a single state government reporter, City Council is now largely uncovered, and one station has all but done away with state government reporting. Ms. Viglielmo anticipates that this trend will carry through to the election season, as to which Ms. Viglielmo contends, there has been only cursory coverage to date. While acknowledging that stations are opting out of certain network programs, Ms. Viglielmo asserts that many are doing so not to promote local issues, but to air paid programs and infomercials.

Where multiple radio stations are owned by the same company, Ms. Viglielmo states that there is generally one news operation to cover many stations, which in her view does not promote diversity of voices in a market. According to Ms. Viglielmo, the trend is more troubling in television, where there are generally fewer voices in a single market. Noting that many stations share newscasts, regardless of ownership, she predicts that with increasing consolidation, such sharing of newscasts will increase. According to Ms.

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Viglielmo, when two stations with profitable newscasts cut one newscast and share resources with another station, this practice eliminates a voice from the public. She asks the Commission to consider prohibiting the sharing of news resources among the top four stations in a single market, regardless of ownership.

Ms. Viglielmo urges the Commission to adopt standards encouraging a level of local public affairs or public service programming that is independently produced regardless of a station's ownership and is not a re-run of another station's programming. Ms. Viglielmo suggests that, in some cases, this could mean that a station could open its airwaves to public interest groups seeking to discuss topics as opposed to creating a news program.

According to Ms. Viglielmo, if there are clear standards and easily obtainable station reports, then the public will be able to complain about the lack of local programming. Finally, based on her view that most people are unaware of public inspection files, she suggests that it might be useful to require broadcasters to post the inspection files on the Internet and publish an abbreviated version in a newspaper of general circulation in the broadcaster's area.

Virden Broadcasting Corp., Kaskaskia Broadcasting, Inc. and Miller Communications, Inc., filed by Raymond Miller (7/12/04)

Mr. Miller states that he owns and operates seven small market radio stations in Illinois, and expresses concern regarding the potential costs involved in installing equipment to record all programming from 6 AM-10 PM. He suggests that only stations that have been found to air indecent programming be required to do so.

Mr. Miller expresses concern with the costs associated with any requirement forcing radio broadcasters to switch from analog to digital transmission. He estimates that the cost to convert his seven stations would be over \$350,000.

Mr. Miller contends that the marketplace should decide what programming it likes, and opposes any Commission rules to further broadcasters' communication with the local community.

Mr. Miller opposes minimum political and civic discourse requirements, and in addition, the Commission should not concern itself with whether an announcer is "live" or "voice tracked." He states that voice tracking has allowed small market stations to afford to keep providing the service communities expect and demand.

Mr. Miller argues that in the absence of any complaints, license renewal procedures should be reduced, and he opposes mid-term reviews of licensee performance.

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Mr. Miller contends that LPFM stations are a threat to small market AM and FM radio because they: (1) interfere with the small class of stations; (2) take advertising dollars *that would otherwise go to the AM/FM station*; and (3) LPFM are not subject to the same public interest or engineering scrutiny.

Mr. Miller indicates that, based on his experience, he believes he would be off the air if his stations did not provide local programming because there would be no listeners.

WAITT Radio, Omaha (WAITT) (11/30/04)

WAITT states that it “believes in” its community and actively supports it in many ways. It opposes the imposition of federal requirements that would regulate the conduct of this support and believes such requirements would “restrict” broadcasters to fulfilling only those functions that they are legally obligated to perform. WAITT submits a “brief highlight” of the activities in which its eight radio stations in Omaha participated in 2004.

WAITT states that station KKAR (News/Talk 1290) provides a daily forum for local issues. In addition, WAITT notes that KKAR twice has promoted and supported a weeklong fundraising effort for the Open Door Mission, broadcasting “live” to encourage listeners to donate food, clothing and other household items. WAITT notes that KKAR also conducts a “radiothon” to benefit the “Child Saving Institute.” In addition to broadcasting the governor’s monthly news conferences, KKAR also reportedly broadcasts local debates on “hot” topics during election seasons, and airs local college football and hockey games.

WAITT states that station KLTV (Lite 101.9, KLTV) invites listeners to bring Valentines to the station each year to be delivered to the local Children’s Hospital, provides the music for the 4th of July fireworks held at Rosenblatt Stadium, supports “Race for the Cure,” and broadcasts a program that provides information concerning the locations of clinics and screenings.

WAITT states that station KQKQ (Q98 Five) supports various fundraisers and charitable events, broadcasts a morning show that provides a forum for listeners to voice their opinions on local topics, provides a weekly show for the local Humane Society to showcase an adoptable pet, and provides a monthly show that offers parenting tips.

WAITT states that station KCTY (Retro 106.9) supported the “JDRF Walk” in 2004.

WAITT states that station KOIL (Country 1020) supported the Douglas County Fair in 2004 as the lead station.

WAITT states that station KBLR (Hot 107.7/97.3) provides programming that showcases local artists, tours local schools to teach students about the history of hip hop, hosts a fourth of July family picnic attended by thousands of community residents, presents

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community awards to various local individuals, co-hosted a rally to stop gang violence, and provides information concerning the locations of various health screenings and clinics.

WAITT states that station KOZN (1620 the Zone) provides a live program discussing local sports with an opportunity for listener participation, provides selected high school sports highlights and/or game broadcasts, and airs local college football and hockey coaches show.

In addition, WAITT notes that its stations participate in the Amber Alert system and further notes that seven of its eight stations have websites that feature community calendars and monthly newsletters concerning community events.

WALA-TV, filed by Vanessa Oubre (11/2/04)

Ms. Oubre states that it produces over 23 hours of local news each week and that its news day begins on weekdays with 2 ½ hours of local news and weather. Ms. Oubre states that it spends over \$50,000 each year on research and consulting to determine what viewers want in a newscast. In addition, Ms. Oubre indicates that each year in preparation for hurricane season, it produces a one hour hurricane special and 30-minute vignettes on hurricane preparedness.

In addition, Ms. Oubre states that it participates in non-broadcast community services including collecting food, clothing, and other essential items for victims of Hurricane Ivan and helps to produce the Children Miracle Network Telethon.

Walford, Jennifer (11/1/04)

Ms. Walford opposes the Commission's plans to award every U.S. broadcaster with a giveaway of digital spectrum. She states that the spectrum should be designated for local access, and that cable companies should be required to carry these new local access channels. She states there is not enough competition in the television broadcasting market.

Ms. Walford states that the Commission has failed to clarify how broadcasters should serve the public interest, and that broadcasters' requests for multiple channel distribution on cable should be denied.

Wallace, Brian (8/18/04)

Mr. Wallace believes that the broadcasting industry as a whole does not do a satisfactory job of serving listener needs.

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Until reading the Commission's Notice of Inquiry, Mr. Wallace states that he was unaware that citizens may petition the Commission to deny a licensee's renewal request. He comments that, with an 8-year licensing period, the opportunity to challenge a license at renewal time is limited and he questions how the public can know when a broadcaster is up for license renewal and how the general public may file comments in Commission licensing proceedings.

Mr. Wallace contends that, at renewal time, licensees should be required to prove that they are serving the public, not just that they aren't breaking rules. Mr. Wallace supports placing the burden on broadcasters to prove that they are in fact serving the public. Noting that the broadcasting industry has been doing market research for years, he suggests that broadcasters use this method to help them determine the types of programming the public wants.

In observing that most educational shows are about nature, Mr. Wallace states that he would prefer to see network programming designed to help low-income or "low skill" families learn about computers, personal finance, or other skills that they may need to become more successful in today's society. Because these individuals may not be able to afford this training formally at a college or trade school, Mr. Wallace believes that programming with basic instruction in these subjects could fill an important need in the community.

Mr. Wallace expresses general dissatisfaction with local newscasts in his area (Phoenix, Arizona). He maintains that local content within a newscast doesn't necessarily translate into quality content, or content that it is helpful to local citizens. Mr. Wallace states that, at times, it seems that the local content portion of newscasts constitutes "a trivial token offering to satisfy the requirements." For example, he mentions that local animal shelters put on a show called 'Pets on Parade' on Saturday mornings. While acknowledging that this subject matter may be considered local content, Mr. Wallace states that it is of little use to him personally. Mr. Wallace contends that this space could be better used to inform citizens of the "goings-on" of their federal, state and local governments. Mr. Wallace believes that the content of local newscasts has been sacrificed to "other more menial causes," and remarks that, at times, local newscasts seem to be more about generating advertising revenue than delivering news.

Mr. Wallace asserts that, notwithstanding the fact that government and citizens have called on broadcast networks and media outlets to stop depicting activities that are hazardous to children as desirable and 'cool' (drinking, smoking, using drugs, being sexually active), Mr. Wallace contends that this behavior continually is lauded in the media. Wallace believes that such programming is "well outside" the bounds of operating within the public interest and that broadcasters should be held accountable for operating in this manner. According to Mr. Wallace, a general perusal through evening programming will highlight any number of shows containing sexual innuendo and misconduct, drug use, profanity and violence that isn't in line with what the mainstream

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of our community wants. Mr. Wallace also finds the content of morning radio shows and certain afternoon radio shows offensive to the extent that these shows “center around sex and sexual topics.” Noting that he had heard of radio stations sponsoring events at adult venues (such as topless bars), Mr. Wallace states that he cannot understand how this and certain DJ formats are not a violation of standards.

As an example of a local station meeting the needs and wants of its residents, Mr. Wallace points out that the church to which he belongs has a worldwide conference every six months, consisting of five 2-hour sessions over a Saturday and a Sunday. Mr. Wallace notes that Channel 61 in the Phoenix area regularly suspends normal programming to broadcast four of the sessions during the day (two on Saturday and two on Sunday) because it knows that there is a large population of persons in the area who are of this denomination and who would like to view this broadcast from the comfort of their own homes.

Mr. Wallace does not believe that letting the market decide what is best really works. Mr. Wallace reports feeling that he has little, if any, say in what is broadcast and that his choices are limited to choosing from among programming choices that he describes as “substandard.” In this situation, Mr. Wallace believes that the market is not necessarily determining what is broadcast and, instead, is determining which of the substandard programs gets the best ratings. Mr. Wallace contends that corporations that sponsor programs and not audiences ultimately determine what is broadcast. In any event, Mr. Wallace believes that market forces “are failing to provide adequately for our communities.”

Mr. Wallace commends broadcasters that air public service announcements (PSAs) that: 1) discourage the use of illegal drugs; and 2) encourage young people to stay in school and get an education. He argues, however, that the message of these PSAs often is undermined by the content of the very shows in which they are broadcast. Because the actual programming, in Mr. Wallace’s view, shows smoking, drug use, violence and sexual activity occurring in a glamorous light, without consequences, and for a longer duration, these shows tend to counter any positive effect the PSA might otherwise have had.

Mr. Wallace maintains that programming regarding our political process is very limited. He suggests that local newscasts air a segment that lets citizens know: “Here’s what your representatives in government did today...” Mr. Wallace believes that people might be more active in government if they were better informed.

As to questions of payola within the radio industry and similar behavior, Mr. Wallace believes that radio stations exist, not to play music, but to play commercials. He contends that radio stations play music to lure audiences into listening to the commercials and that everything they do, including promotions, contests, and other activities, is designed to get people to listen to the commercials.

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Mr. Wallace also supports strict and rigorous enforcement of rules requiring sponsors to identify their contributions. He contends that sponsorship identification is important because it helps viewers to consider the source of the information. He further contends that shows such as David Letterman and Jay Leno that receive compensation for promoting a new movie should be required to disclose such sponsorship during the segment that is being sponsored.

In Mr. Wallace's opinion, the Commission should institute shorter licensing terms and more frequent reviews. According to Mr. Wallace, eight years is enough time for a network: 1) "to unduly influence two presidential elections;" 2) to influence "a new generation of children...in a major way;" and 3) for "radical change" to happen in society. The community standards governing the licensee's conduct at the start of the license period may be radically different from the community standards that prevail at the end of that period.

Mr. Wallace agrees with the question posed by Commissioner Michael Copps asking "where is the action?" Mr. Wallace contends that the Commission should be taking an active stance "to search out and fine programs that are offensive and that are a blatant misuse of our airwaves."

Although not addressed directly in the Notice of Inquiry, Mr. Wallace remarks that, from the point of view of someone who desires clean programming on our broadcast mediums, it seems that networks ignore or mock complaints such as his regarding falling standards. Mr. Wallace also complains about what he describes as the media's "bias toward the liberal spectrum" and believes that there should be more balanced reporting within newscasts.

Mr. Wallace contends that the Commission should be more proactive and, rather than awaiting citizen complaints, it should actively monitor the airwaves and look for content that warrants penalties. He also suggests that the Commission consider holding companies that support objectionable programming responsible for the programming they sponsor. For instance, if a program is fined for indecency, then Mr. Wallace states that perhaps a fine also should apply to companies who sponsor the indecent programming. In his view, such penalties may help to encourage "the real market forces (companies with advertising money)" to take into account the material they are supporting and whether it supports the communities that they "should be serving." Mr. Wallace further suggests that the Commission consider imposing penalties on broadcasters who deliberately or accidentally broadcast false or misleading information. If citizens can provide data showing that a broadcast story was false or misleading, Mr. Wallace believes that there should be penalties to the broadcaster for not having done its homework and research before broadcasting the story.

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Mr. Wallace asserts that the Commission needs a better way of requesting input from the public. Specifically, he suggests that the Commission prepare a public service announcement that gives an 800 number to contact so that people are aware that the Commission wants to hear from them, and that provides filing instructions for those who wish to correspond with the Commission. Mr. Wallace describes the process for filing comments with the Commission as “staggering” and suggests that reforms are needed to make it easier for the public to communicate with the Commission. He states that the Commission should make it easier for people to find its website and that it also should create an online form for parties filing comments and complaints. In order to make it easier to lodge a complaint, Mr. Wallace suggests placing the burden of proof on broadcasters by requiring them to provide particular recordings and or transcripts.

Finally, Mr. Wallace urges the Commission to revamp the current rating system so that, at the beginning of a program, the broadcaster would be required to disclose the specific number of obscenities, sexual situations, and incidences of violence contained in a program, so that parents can be better informed about what their kids are planning to watch.

The Walt Disney Company (Disney) (11/1/04)

Disney summarizes the localism initiatives of its ABC television stations and radio stations, Radio Disney stations and ESPN radio stations.

Disney discusses communications with members of its community of license, explaining that ABC-owned television and radio stations communicate with community members by holding monthly public meetings, meeting with community leaders and staff, providing air time for non-profit organizations to discuss local issues, polling listeners to determine public interest on various topics, and conducting telephone research to evaluate music aired.

In discussing the nature and amount of community-responsive programming, Disney states that ABC-owned television and radio stations “fulfill their localism obligations by decisions made by local management and on-air personnel.” Disney states that these obligations are met through airing PSAs, regionally-oriented programs, and news focused on local issues, concerns and events. Disney states that other licensees air programs that highlight local music or host programs with local leadership where members of the community are allowed to ask questions. Disney also states that “[t]he ESPN [radio] stations are sports stations that air both national and local sports programming.” Disney provides details of the localism initiatives of ABC-owned radio stations in Attachment D.

Disney states that ABC stations provide political programming in the form of candidate profiles, candidate forums and voter education initiatives, and that stations air debates for senatorial, mayoral and general election races. Disney explains that some stations air voter registration PSAs and provide free air time for candidates to discuss issues. Disney

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states that political coverage decisions are left up to local management so coverage varies by market. Disney provides further discussion of political programming in Attachment C of the comments.

Disney states that ABC affiliates target underserved audiences by airing Hispanic affairs programming, African American community forums and Asian American community forum. Disney states that WLS, in Chicago, provides programming targeted to women, religious groups, ethnic groups, youth and minorities, and that other stations donate air time to community-based and non-profit organizations for discussion of local issues and events. Children's programming is provided both on television and radio stations. "Radio Disney is a children's radio network dedicated to programming high quality, wholesome entertainment that is beneficial to children, families, and the local communities."

Disney addresses the topic of warnings/EAS, explaining that each of the ABC-owned stations provides local news and weather information on a daily and weekly basis, and each also provides weather- and disaster-related information as breaking news or as updates during programming. Disney states that in California, an ABC affiliate set up telephone banks to provide information after wild fires, and that KTRK, in Houston provides a Hurricane Information and Tracking Chart.

Disney states that management and employees of ABC-owned television and radio stations participate in off-air community services and community events. Disney states that some managers hold leadership positions in organizations such as the Adopt-a-School Bus program and the Leukemia & Lymphoma Society and that stations engage in local events such as food drives and literacy programs. Finally, Disney states that radio employees serve as speakers and emcees for local events and organizations.

Disney states that given the breadth and depth of localism initiatives that ABC-owned television and radio stations are already engaged in, there is no need for further regulation by the Commission to promote localism. According to Disney, "there is no need for FCC regulation, and, moreover, any additional FCC regulation would only restrict the flexibility stations currently have in serving their local communities."

With respect to network affiliation rules, Disney states that, "ABC has consistently demonstrated that its network-affiliation agreements in no way violate the right to reject rule and that ABC's affiliates have never been prevented or hindered from preempting network shows in accordance with the right to reject rule.... It is ABC's view that, given the history of the National Affiliated Stations Alliance (NASA) proceeding and ABC's responsive filings, there simply is no basis for the commission to express any concern over NASA's unsubstantiated and unproven claims." Disney states that ABC affiliates have ample ability to preempt as shown through listings of affiliate preemptions filed with the FCC.

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With respect to the subject of payola/sponsorship identification, Disney states that, "ABC submits that there is no ... need for regulation or further regulation because the FCC's current regulations sufficiently address the issue and any violations of those regulations can be handled through enforcement."

Attachment A to Disney's comments provides the number of hours of local news and public affairs programming provided by each ABC television station.

Attachment B to Disney's comments is a compilation of information provided by each ABC television station regarding its local on and off-air activities. Information is provided for the Philadelphia-New Jersey, Los Angeles, San Francisco-Oakland-San Jose, Flint, and Toledo-NW Ohio markets.

Attachment C to Disney's comments contains letters regarding political coverage provided by ABC stations. In a June 21, 2004 letter from The Walt Disney Company to former Chairman Michael Power and Senator John McCain, Disney states that "decisions regarding what [political and public affairs] issues to cover and in what amount are left to the discretion of our outstanding local management." The letter provides details of stations' local political coverage including debates and daily news coverage. Also included are letters from the League of Women Voters of California and the Tax Assessor-Collector and Voter Registrar of Harris County, Texas commending KFSN-TV and KTRK-TV respectively for their coverage of local political issues.

Attachment D to Disney's comments contains a compilation of on and off-air localism initiatives of the following ABC radio stations divided into the local programming issues as specified in the NOI: KABC-AM, KLOS-FM, KSPN-AM, KDIS-AM, Los Angeles; KGO, San Francisco; WLC Newstalk 890 AM, Chicago; WMAL-AM, Washington, DC; WABC, New York; WJR, Detroit and Southeast Michigan; WGVX/Y/Z-FM, Twin Cities; KESN (ESPN), Dallas/Fort Worth; WBAP, Dallas; WDYZ Radio Disney AM 1190, Orlando; WSDZ Radio Disney AM 1260, Saint Louis; KPHN, Radio Disney AM 1190, Kansas City; WMYM, Radio Disney AM 990, Miami-Fort Lauderdale; WKSH Radio Disney AM 1640, Milwaukee; WDZY Radio Disney AM 1290, Richmond; WWJZ AM 640, Philadelphia-New Jersey; WQUA-FM Radio Disney, Mobile; WKHT-AM Radio Disney 1650 Norfolk.

Walters, Chris, Director of Programming for News Talk 1290, KBZS(FM), KWFS-FM, and KNIN-FM , Clear Channel Radio (11/9/04)

Mr. Walters states that the broadcasting industry has not adequately informed the Commission and the public of the ways in which Clear Channel's stations have fulfilled their public interest mandate. In explaining that their radio stations are an integral part of local communities, Mr. Walters notes that their four radio stations devote more than 100 minutes each week to providing local news coverage and "countless hours" of coverage for severe weather. According to Mr. Walters, each newscast provides news of note

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specifically to Wichita Falls and is done in cooperation with one of its local television stations.

Mr. Walters states that each station in its "cluster" devotes hours of public service time to live on-air announcements, including "radiothons, PSAs and website space." He notes that the stations also feature a weekly 30-minute, locally produced public affairs show, which is simulcast on all four stations on Sunday mornings. Mr. Walters states that their morning show on the NewsTalk outlet features live local interviews each day with community leaders of non-profit groups. The fact that Clear Channel stations have received numerous plaques and letters of commendation, according to Mr. Walters, speaks to the public's perception of the stations' performance in the community. Mr. Walters states that Clear Channel's stations are staffed during emergency weather situations and an "on call" list is always ready for unexpected emergencies.

Mr. Walters explains that the stations provide local candidates free air-time to talk about leading issues and periodically produces special programming, such as "Community Forum," which features live phone calls and e-mails, and provides the community an opportunity to "sound off" on the issues of the day. According to Mr. Walters, Clear Channel also devotes four hours of its Sunday radio programming to an exclusively "Spanish" broadcast, provides live coverage of local sports, has "free remotes" for non-profit groups who have weekend events, and gives local bands a chance to showcase their abilities by performing live on the radio. Mr. Walters also provides examples of ways in which the stations partner with community groups, including performing the "Children's Miracle Network" radiothon, which is a 36-hour live broadcast to benefit the local children's hospital; hosting a 10-hour "radiothon" for Hospice; sponsoring charity drives; serving as the steering committee and corporate sponsor for the MS Walk; and sponsoring "Clear Channel Kids," a holiday-effort to purchase clothing for less fortunate students of the local school system. For news, weather, entertainment and public service, Clear Channel states that its stations are the "one-stop shop" in Wichita Falls and North Texas.

Washington State Association of Broadcasters (WSAB) (10/28/04)

WSAB is a not-for-profit association for the purpose of the advancement of the broadcasting industry in the state of Washington. The association's membership includes approximately 156 local radio stations and 23 local television stations licensed to serve the communities in Washington.

WSAB states that the Commission should not return to a rigidly structured ascertainment procedure. Rather, WSAB states the Commission's reasons for eliminating the formalities of ascertainment, while continuing to require licensees to provide issue-responsive programming, are as valid today as they were in the 1980s. WSAB argues that broadcasters continue to ascertain the needs of their communities in myriad ways that a rigid, formal process could not accommodate, and gather insightful information

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that such a process would miss. For example, WSAB states that radio and television *stations in Seattle have ascertainment meetings with community leaders and* organizations to discuss issues of importance to the community. Others meet with local citizens and then conduct surveys from the community to solicit feedback on issues that matter to the community. WSAB suggests that the Commission should encourage creativity in the design process for ascertaining the issues and concerns that drive issue-responsive programming.

WSAB contends that broadcasters do not need the added incentive of minimum amounts of local or national political or civic discourse to provide their communities with an outstanding menu of election-time coverage. WSAB indicates that stations cover the election from the first day candidates announce their campaigns through election night. WSAB believes that it is time for the Commission to revisit the public interest standard in a holistic manner and recognize that the public interest, convenience and necessity can be served by each station making its own unique contribution to the service of the entire community. WSAB indicates that Washington stations cover political debates for both national and local offices including Governor, U.S. Senate and other statewide offices. WSAB argues that the inability or refusal of candidates to accept offers of free airtime presents a critical problem for both candidates and stations, should the Commission mandate a minimum amount of candidate/issue oriented programming. WSAB notes that this problem would be accentuated in smaller communities that have fewer candidates and opportunities to receive in-person visits.

WSAB contends that the Commission does not have the authority to expand the right of reasonable access to state and local candidates, but even if it did, doing so would drive away the very listeners and viewers the candidates want to reach. WSAB notes that Congress created this right only for federal candidates. In addition, WSAB believes that providing state and local candidates with right of reasonable access would be detrimental to the public interest. WSAB indicates that broadcasters have little or no flexibility to add more commercial announcements. In addition, providing reasonable access to state and local candidates will dramatically increase demand for airtime and, therefore, broadcast advertising rates will increase concomitantly. As a result candidates may pay even more for political advertising than they do now.

WSAB provides examples of the efforts of broadcasters to assist their communities' charitable organizations in raising awareness of those groups' programs or assisting them in raising funds.

WSAB urges the Commission to reject suggestions that local and state emergency managers have unfettered access to broadcast station facilities. WSAB states that broadcasters have a low level of confidence in emergency managers' ability to discriminate between events worthy of EAS activation and those that are minor or narrowly localized. WSAB provides specific examples of local broadcaster coverage of

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various emergencies including gas pipeline explosions, earthquakes, and the September 11 attacks.

WSAB opines that it is long past time for the Commission to recognize that radio listeners and television viewers no longer experience the limited variety of the 1960s, and that the Commission should recognize that the public interest is personified by the larger community, including all of the broadcast and other media the local community has at its command.

WSAB attaches approximately 180 pages of letters, reports and certificates more specifically describing member stations' performance.

WAVE TV 3 (WAVE 3) (10/25/04)

WAVE 3 lists the ways in which the station supports localism. WAVE 3 states that it monitors the EAS system, broadcasts all Amber alerts, and owns its Doppler Radar. WAVE 3 states that it received an award of appreciation from the Kentucky Office of Employment and Training.

WAVE 3 states that it has worked with the Salvation Army to help needy children in the community, and sponsored a local cancer summer camp for children. WAVE 3 states that local Severe Weather coverage is a must. WAVE 3 states that it supports a web site, WAVE3.com, on which it lets virtually anyone in the community post an event for the public to see.

WAVE 3 states that it also invited candidates in three federal elections to debate: Kentucky Congress 3rd District, US Senate-Kentucky, Indiana Congress 9th District. WAVE TV states that its news department seeks out candidates to respond to issues in the news, such as the War in Iraq, prescription drug costs and other healthcare issues as well as economic issues such as tax cuts and the federal budget deficit.

WAVY TV 10, filed by Rosetta Rolan (WAVY 10) (11/1/04)

WAVY 10 states that it has a producer and reporter dedicated to investigating specific information WAVY 10 receives from viewers. WAVY 10 states that it approaches every news story based on viewer benefit and how WAVY 10 can make the information pertinent to the daily lives of its viewers.

When considering programming, WAVY 10 states that it looks at what is available, sees how it fits with the demographics in the local market, and closely examines feedback from viewers, whether positive or critical.

WAVY 10 states it preempted network programming during Hurricane Isabel in September 2003. WAVY 10 states that it participates in both Amber and EAS as a

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monitoring station, and that it produces local political, civic, cultural and other *community-responsive programming*.

WBHK Radio (WBHK) (11/1/04)

WBHK lists its on-air public interest and community programming and off-air community service efforts. These include community health, local job fairs, minority affairs, local and national political programming, and religious programming.

WBNG-TV (Binghamton, NY), filed by Joseph P. McNamara, General Manager (10/21/04)

Mr. McNamara notes that WBNG produces and airs more than 24 ½ hours of local newscasts each week, covering all day-parts, and also streams these broadcasts over the Web. He states that WBNG's local newscasts and other programming includes many public affairs segments of interest to the local community and cover such topics as financial tips, reports on area businesses, parenting, schools, consumer product alerts, and health news. Mr. McNamara states that the station conducts viewer polls and airs viewer opinions. He also states that the station also allows local non-profit organizations to hold phone banks to help their fundraising and airs information on the phone banks during live newscasts.

Mr. McNamara states that WBNG has preempted network programming in favor of programming of local interest and opens the studios to local politicians to express their views and offers free airtime. Mr. McNamara states that WBNG covers local emergencies on-scene and with screen crawlers, AMBER alerts and the Emergency Broadcasting System.

Mr. McNamara states that the station airs additional civic, cultural and other community-responsive programming, sponsors and promotes many local community events, and airs public service announcements on a wide range of issues.

WBRZ News 2 Louisiana (WBRZ) (11/16/04)

WBRZ states that it has approximately 58 employees in news and produces about 30 hours per week of news programs. Approximately 20% of the station's daily programming is dedicated to newscasts. WBRZ provides a list of programs devoted to local public affairs, politics, community activities, and similar issues.

WBRZ states that all emails and letters concerning programming are read and answered by the station.

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WBRZ provides examples of instances that the station has preempted network programming in order to air other programming of more interest to the local community. These include local political events, parades, charitable fundraising, and crime safety programs. WBRZ states that the station also covers local sporting events and sponsors certain local events.

WBRZ provides examples of emergency programming that it provides.

WBRZ states that it also covers local political issues including informing voters of ballot issues, candidate interviews, candidate forums, and election night coverage.

WBTS (Atlanta, GA), filed by Lee Cagle (10/29/04)

Mr. Lee Cagle, on behalf of WBTS, offers a list of locally-related programming affecting its (Atlanta-based) market, including: hourly weather reports 6:00 a.m. – 7:00 p.m.; two 30-minute public affairs programs weekly, and two 15 second Public Service Announcements daily; twice an hour weather updates during weather emergencies via sister AM station (WSB); participation in EAS and Amber Alerts; promotion of local musical artists; and promotion of local civic and cultural events.

WDSI, filed by Tracye McCarthy, General Manager (11/1/04)

WDSI states it serves its local community by providing community responsive programming such as three hours of local news broadcasts per week, PSAs, local sporting events, local fundraising events and monthly shows discussing local cultural events and economic development in the Chattanooga area. WDSI states it provides emergency information and disaster warnings by participating in EAS and the Amber Alert Program. WDSI states it provides programming for underserved communities in the form of local religious programming and minority news reports including the weekly Black Enterprise Report. WDSI also states it participates in non-broadcast activities by supporting local fundraising campaigns, sponsoring local Nightfall Summer Concert Series and the annual Marine Corps Toys for Tots campaign. WDSI does not recommend that changes be made to localism rules.

Weeks, Larienna Maja, filed under Numerous (8/23/04)

Ms. Weeks states that localism concerns core values of our free, democratic society, and that the public has not been seeing and hearing real issues. Ms. Weeks states that forums and avenues are needed for real issues of ordinary people. Ms. Weeks believes big money corporations have a grip on the public airways and are spewing corporate bias, and that changes are needed.

Wendell, R.E. (1/28/04)

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Wendell comments that the First Baptist Church broadcast on KSAT 12 is relied on by people who are unable to attend church.

WHBF-TV (WHFB) (11/23/04)

WHBF states that it produces 14.5 hours of local news programming per week with 51% of its news and production departments dedicated to the preparation and presentation of these newscasts. The primary goal of these newscasts, according to WHBF, is to give viewers the information they need to be responsible members of the community, to make informed decisions about the important issues faced by the community, and to participate in a meaningful way in the overall life of the community.

WHBF states that it is also committed to local public affairs programming. It states that it produces and airs a weekly half-hour news/information program entitled "Channel 4 Eyewitness News For the Record," and that this program is a forum for discussion on key events and issues including child abuse, senior services, youth after school programs and activities, the impact of budget cuts on local schools, area unemployment, domestic violence, AIDS.

To ascertain the needs of the community, WHBF states that each quarter, it holds an ascertainment meeting in which it invites six to ten guests, representing a cross-section of the community. WHBF also states that it conducts between 25-30 interviews each quarter and uses them to help guide our news and public service programming choices.

WHBF states that it provides political programming to help inform its viewers on local races and candidates, including free air time for candidates and hosting political debates. WHBF also states that it provides a significant amount of community service programming for local social service agencies, fundraising efforts, and community events. It also partners with several local charities and produces public service announcements for some of them.

WHTM-TV (WHTM) (10/22/04)

WHTM, the ABC affiliate in Harrisburg, PA, provides a list of locally-oriented programming, including: a description of its news department, "producing over four hours of news daily;" examples of public affairs programming; a description of emergency programming, primarily weather-related; a list of political programming associated with local races; a description of other local programming, including local sports and community event broadcasts; examples of civic and cultural programming; and examples of other support (e.g., sponsorship) of local civic and charitable events.

WHVO-AM, Hopkinsville, Kentucky, filed by Amy Hougland (11/1/04)

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Ms. Hougland states that WHVO-AM liberally promotes its phone number and website/email address and encourages listeners to contact them. In addition, Ms. Hougland states that they attend numerous community events and encourage feedback from listeners. She further states that they hold monthly staff meetings and share feedback with staff.

Ms. Hougland states that morning news is offered for two hours on weekdays, and that weekly news briefs are offered every hour from 10AM through 6PM. Minority gospel music is broadcast for four hours on Sundays. According to Ms. Hougland, in September, the station offers an hour-long year in review program on weekdays and offers Public Service Announcements at no cost to the sponsoring organization. She states that WHVO also sponsors and promotes local charitable causes and events.

Ms. Hougland states that WHVO provides complete live coverage of every election, as well as local political rallies and events. She states that they provide extensive coverage of the League of Women Voters' Candidate Forums held during every election. During the recent Meet the Candidates programs, candidates for the 3rd and 8th District House seats were each given 6 minutes to explain their platforms. According to Ms. Hougland, WHVO is a small station in a small market, so political dollars actually cost them regular business due to the time spent on frequent changes and last-minute candidate plans. She states that the lowest unit charge rule is clearly an example of politicians taking care of themselves first. Ms. Hougland contends it is not fair that politicians pay as little as or possibly less than many of our year-round faithful advertisers.

Ms. Hougland states that WHVO has frequent live broadcasts from the scene of traffic accidents, and that the station breaks regular programming to bring listeners the live reports. She states that inclement weather is much the same---in the case of severe storms or tornado activity, WHVO frequently has 1 to 3 reporters in the area calling in live reports. She states that the station also participates in EAS, and that it has requested that its EAS manufacturer provide AMBER Alert equipment.

Ms. Hougland states that managers and staff of WHVO serve on a variety of local boards, such as the Cable Oversight Authority and Hopkinsville Christian County Conference and Convention Center board, Chamber of Commerce committees, Hopkinsville Christian County Chamber of Commerce Military Affairs Committee, and the Humane Society. She states that WHVO provides speakers at local school events, career fairs, and job fairs, and that they also serve as emcees of local events such as local telethons, and political candidate forums.

According to Ms. Hougland, WHVO features many community events on its website with photos from the events. She states that when covering live local events, WHVO carries local performers live on the air, and that during the Sunday morning gospel they often air CDs of local and area artists.

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Wilson, W. (8/23/04)

Wilson writes, "Isn't there a correlation between 'that government which governs least governs best' and the monied takeover of airwaves in question? Media is manipulative in this millenia [sic]. Thoreau and Emerson lecturers are lacking in our fresh midst; and an independent way of life vanished in the mist."

Windisch, Deborah, filed under Numerous (8/23/04)

Ms. Windisch asserts that diversity has gotten great emphasis everywhere but media, and that media is homogenized by wealthy, powerful, highly partisan corporations.

Ms. Windisch states that Rupert Murdoch, the head of the Fox conglomerate, owns many media outlets and adores Ronald Reagan, and that a Fox employee played a key role in calling the 2000 election for Bush. She states, "[o]nly when a little peanut like me can stifle Rupert Murdoch will I feel vindicated."

WISC-TV, Madison, Wisconsin (WISC) (11/23/04)

WISC submits a report entitled "NAB LOCALISM REPORT," containing what it describes as a "detailed look at WISC-TV's commitment to localism." Since June 24, 1956, WISC states that it has made serving its local community a top priority. From its early efforts at local programming to its current daily schedule of hours of high-tech and award-winning local newscasts, WISC states that it has always strived to meet the unique demands of its local audience.

WISC states that it airs 27 hours of local news per week. Of the eight hours available for local programming each weekday evening before midnight, it indicates that five hours are dedicated to local news. WISC notes that it employs a full-time person to provide local news content on its Web site. In addition to being an on-line resource for information presented on air, WISC states that its web site provides users with exclusive content and live streams of local news events, such as presidential candidate John Kerry's rally in Madison with Bruce Springsteen. According to WISC, its website has twice won the Edward R. Murrow Award for Excellence in Journalism.

WISC states that it is currently the only station in Madison to feature nightly editorials. It notes that recent editorials have focused on problems associated with Madison's annual Halloween celebrations, improving mental health care in Wisconsin prisons, and proposals to build a light rail system in Madison. WISC explains that it produces a local public affairs program entitled "For the Record," which is a half-hour broadcast that focuses on state and local issues and activities. According to WISC, recent shows have examined the 2004 election, the proposal to establish a sister city relationship between Madison and the Gaza town of Rafah, and the opening of a local arts center. Recent guests reportedly have included the Madison chief of police, Congresswoman Tammy

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Baldwin, and the University of Wisconsin System president. In addition, WISC states that community and political figures are "regular fixtures" on its local newscasts.

According to WISC, its management conducts community leadership meetings and a children's task force meeting to ensure that the station is addressing important community issues. It reports that viewer telephone calls, e-mails, and letters are promptly addressed and suggestions duly noted. Throughout the year, WISC states that its editorial board meets to establish a news and information agenda that relies heavily on feedback from the public. Examples of network preemptions for programming of local interest reportedly include political debates and University of Wisconsin sporting events. In conjunction with UW-Madison, WISC notes that, in conjunction with UPN14, it airs a weekly program dedicated to the Wisconsin Badgers. WISC notes that it also recently preempted an hour of CBS primetime to cover the opening of a local arts center and another hour for the telecast of a documentary about Madison's downtown district.

WISC states that it also interrupts programming when major news or weather situations occur within the viewing area. According to WISC, recent tornadoes resulted in its weather staff being on the air for several hours, while the discovery of a missing university student and the related potential of an at-large dangerous felon also warranted extensive live coverage that preempted regularly scheduled programming.

WISC states that its main on-air weather graphics system is the MxWeatherSpan RT, which takes weather information such as satellite, radar, current and forecast weather conditions, and weather warnings and displays it over realistic terrain base maps, allowing it to provide weather coverage from a global scale down to a city level. WISC states that it also has the MxWeatherSpan StormCommander Radar Display/Severe Weather computer, which takes National Weather Service NEXRAD Doppler radar information and alpha-numeric weather data and displays it over high-resolution terrain maps using "GIS technology" for precise positioning of weather data. The station reportedly also has "real-time" weather information that can be displayed on a computer terminal provided by remote weather stations placed at remote locations in portions of its viewing area. In addition, WISC states that it participates in the Amber Alert program and the Emergency Alert System.

Regarding political programming, WISC states that, in addition to national Presidential and Vice Presidential debates, it broadcasts candidate debates specific to its viewing area, including U.S. Senate debates and gubernatorial debates. According to WISC, where the candidates stand on important issues is a large part of its news programming near election time. It notes that special news series are devoted to covering the candidates and issues, as well as the truthfulness of individual political ads seen on WISC. Along with several other organizations, WISC states that it is a partner in "We the People," a civic journalism project. As a result of this partnership, WISC states that it makes it a priority to cover local campaign and convention events.

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Along with its sister station, WISC explains that it airs several weekly programs targeted to specific segments of the community. For example, *Apostolate to the Handicapped* is described as a half-hour religious mass targeted to viewers who are unable to leave their homes to attend a more traditional service. WISC and its sister station UPN14 also reportedly air a combined total of eight weekly hours of programs identified by the Federal Communications Commission as educational/informative to viewers 16 and under. WISC states that it regularly covers local events including, for example, the opening of a local arts center, local farmers markets, Wisconsin Chamber Orchestra's annual Halloween concert, the opening of a local play, a bridal expo, an adoption fair to raise awareness of the benefits of becoming a foster parent, a career fair, a "have a heart" health fair for the African-American community, and numerous live reports from high school football games.

WISC reports that it is the leading sponsor of several community outreach campaigns each year and that it airs a number of local public service announcements. In addition, WISC notes that it produces and airs a series of PSAs targeted to younger viewers that, in recent months, have promoted healthy eating, the importance of playing safe, the benefits of owning and caring for a pet, the importance of turning to family for help in times of trouble, and the benefits of expressing creativity through writing, playing an instrument, or some other art form.

Elsewhere, WISC states that it has news franchises dedicated to other issues affecting its viewing area. For example, WISC notes that "On Your Side" rates products, informs viewers of recalls or other product safety concerns, and warns of consumer rip-offs. Also, "Eye on Health" reportedly provides information on the latest medical advances while promoting healthy diet and lifestyle.

According to WISC, local artists have several opportunities to promote themselves, their music, and their concert appearances on WISC and UPN14. Chief among these is a program that reportedly devotes a half-hour each week to a local band or musician. In addition, WISC reports that all three of its newscasts regularly feature local musicians, dancers, actors, and artists promoting upcoming performances or exhibitions.

WISC notes that several of its employees sit on the boards of non-profit and charitable organizations and that it holds an annual United Way drive. Also, the station describes its involvement in several fundraisers for charity, including the Race for the Cure (breast cancer) and Light the House (Ronald McDonald House). WISC states that its "Eye on Health" segments encourage regular health screenings for men and women while giving diet and lifestyle advice.

Finally, WISC states that its monthly "Top Notch Teacher" program highlights and celebrates the efforts of area teachers, and that each month an area teacher is profiled on its newscasts and featured in a local commercial. WISC states that its web site highlights

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and expands upon these areas of community involvement by providing extra information on how viewers can get involved.

WKBT QueenB Television (WKBT) (11/29/04)

WKBT lists various local programs and awards. According to WKBT, these include 24.5 hours of locally produced news programming weekly; awards for "Operation Fire Safe" campaign with the La Crosse Fire Department; Wednesday noon news segment for local non-profit groups to publicize upcoming events; and other examples.

WKDZ-FM/AM, Cadiz, Kentucky, filed by Beth Mann (WKDZ) (11/1/04)

WKDZ submits a report on how the station is delivering its commitment to air programming that is responsive to the interest and needs of its community.

WKDZ explains some of the methods it employs to gather information on issues of importance to the community, including round table functions with top officials and representatives from the community, the airing of promos, and conducting newspaper surveys to hear directly from the community on issues of their concern. WKDZ notes that its staff members also support and attend the community volunteer firefighters' fundraisers and participate as a team for non profit groups such as Toys for Tots, and the Salvation Army Angel tree.

WKDZ states that the station's local programming includes among others, the local news, public and community affairs, women's issues such as healthcare, and local sports. WKDZ also states that it produces and airs a local bluegrass show, provides free community announcements for area talent shows, art auctions, and fairs, and runs public service announcements on various community issues.

WKDZ states that its emergency programming covers extensive inclement weather coverage and provides EAS for as many counties as their equipment capacity can manage, and that its political programming includes comprehensive coverage of local campaign events.

With respect to the issue of advertising practices and rates for legally-qualified candidates for public office, WKDZ opposes the Commission's rules on the rates charged to the candidates. The station asserts that it is unfair for politicians to pay a lower rate than commercial advertisers, and it states that as a result of this regulation, some local advertisers choose to not run during political windows to avoid being associated with negative messages.

WKRG-TV (11/1/04)

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WKRG-TV submits an account of the station's various initiatives to air programming that is responsive to the interest and needs of its community.

WKRG states it provides 36.5 hours of local news each week and at least ninety percent of these newscasts is derived from local content. During morning segments, the station states it arranges for the participation of local community groups such as The Mobile Area of Chamber of Commerce, the Better Business Bureau, Family Counseling Center, and so forth. The station also includes in its local news segment the participation of local experts to discuss topics of public concern such as health and financial issues. WKRG states it airs approximately 30 public service announcements each week on issues that range from underage drinking to voting machine information. WKRG also states it produces weekly specials for high school football games, and supports many local civic and cultural activities. In addition, it states that the station staff participates in school events on a regular basis.

WKRG states that its emergency programming includes weather monitoring stations in three local elementary schools and the local science museum, and that the station also participates in the Amber Alert System and the EAS.

WKRG also states it broadcasts local and national elections within the newscasts and during live primetime coverage.

WMOJ-FM, filed by Dan Swensson on behalf of Gary S. Lewis under Numerous (WMOJ) (11/3/04)

WMOJ states that it airs 30 newscasts per week and 19 local traffic reports per day. It states that 2.5% of all its programming is related to local news stories.

WMOJ states that it airs a 90 minute block of public affairs programming each Sunday morning including two 30-minute locally originated programs focusing on local issues. WMOJ also airs "Radio Health Weekly," a syndicated public affairs program surrounding health care and health issues.

In addition, WMOJ notes that it airs emergency, political, and community-responsive programming; promotes local musicians; and participates in many local events and charities.

WOI-TV, Ames/Des Moines, Iowa (WOI) (11/22/04)

WOI contends that it has demonstrated a significant investment in local news programming. For example, WOI states that it airs 17 hours of local news per week and 70% of the station's staff is dedicated to the preparation and presentation of these newscasts.

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WOI provides examples of local public affairs programming that it has aired, including local topics on senior services, youth after school programs and activities, the impact of *local budget cuts on local schools and others*. In addition, WOI says it supplements its public affairs programming with a schedule of public service announcements.

WOI states that it has an active local ascertainment process, including, in cooperation with other broadcasters, an ascertainment meeting each quarter in which six guests representing a cross segment of the community are invited to participate. WOI also states that through such discussions it attempts to ascertain what are the most important issues facing the local area.

WOI states that it provides emergency programming information on an as-needed basis. Special news reports, severe weather announcements, school closings, Amber Alert notifications, and EAS are other examples of these emergency programming commitments, WOI states. WOI also states that it provides a significant amount of community service programming for local social agencies, fundraising efforts, and community events. WOI provides a number of specific examples of such community service programming.

Wolf, Arnold (9/15/04)

Mr. Wolf states that the loosening of rules governing ownership in a given market by a single entity is a very bad idea, and that he advocates far stricter licensing and ownership standards. He also states that the trend toward ever-greater consolidation inevitably leads to more automated programming originating at centralized sources, which results in further erosion of localized programming devoted to the public interest. Mr. Wolf believes the FCC needs to define more clearly the minimum public interest obligations that radio and television media owners must meet, with a more effective mechanism established for accurately and regularly reporting each outlet's degree of compliance, and unequivocal implications for license renewal.

Mr. Wolf states that the public owns the electromagnetic spectrum available for broadcast purposes, so licensees should have to pay for their privileged access to the national airwaves.

Mr. Wolf states that, in exchange for access to the airwaves, broadcast licensees are required to act in the public interest, but that modifications to this condition over the years have weakened the provision to the point where "the public interest" is largely whatever the individual broadcaster says it is. Mr. Wolf states that the FCC should act to impose a much greater degree of public accountability on those who are allowed to utilize the broadcast spectrum, and that increased localism is one way to increase such accountability. Mr. Wolf also states that the lack of adequate regard for the public interest on the part of the national networks is another area that must be addressed.

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Wolff, Tony, filed under Numerous (8/23/04)

Mr. Wolff comments that, especially in the case of public airwaves, *it is critical that the government protect the public from the excesses of consolidation.*

Woodruff, Sandra (11/01/04)

Ms. Woodruff suggests that in order to increase local content on the radio bands the Commission should make more broadcast outlets available to interested parties in each community. She also recommends that the Commission end the prohibition of substantial local origination by FM Translators in 74.123(h), and alternatively adopt rules similar to those now in force for the upgrade of TV translators to LPTV stations. She advocates for the application of non technical LPFM rules to locally originating translators. In addition, she advises that the existing LPFM ownership caps be extended to the proposed upgraded translators to prevent an undesirable concentration of ownership. In regard to LPFM stations, she recommends that the Commission allow LPFM allocations that do not qualify under 73.807 of the LPFM rules to be made under part 73.215 if LPFM L1 and L2 classes were added. Ms. Woodruff suggests a less strict policy toward Minor Changes involving LPFM stations that have already been approved or are still being actively processed by the Commission. With respect to the increase of FM translators and LPFM stations, she recommends the revision of section 74.123(b) to allow non-commercial FM translators in both the reserved and non-reserved band to be fed over the air because of interference from new translators. She also advises that the Commission permit FM translators to rebroadcast local AM stations.

Wooldridge, Mark (10/27/03)

Mr. Wooldridge states that the Commission can improve localism through competitive tendering for renewal licenses. He states that, currently, broadcasters pay lip service to public service requirements and instead maximize profits and that an auction would give an interested party who feels he or she can service that community better the means of offering the FCC more money than the incumbent. He also states that an auction should include a Promise of Public Service, outlining what the broadcaster would do to satisfy the public service requirement. Mr. Wooldridge states that the Promise along with the monetary bid should form the basis for the renewal process; that the Promise should only be considered if the incumbent licensee were outbid in the renewal process; and that in the following renewal cycle, the incumbent licensee can only rely on their promise if he or she actually lived up to past promises.

Worth, Darby Moss (8/9/04)

Ms. Worth contends that it is "immoral to stifle creativity" as he believes it is happening as a result of the "homogenizing of the media." Worth also believes that "abusive

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corporate control” is to blame for many cultural and political problems facing the country.

The WOSU Stations (10/27/04)

The WOSU Stations provide a 25-page list of public affairs programs and local community “needs and interest” programs that were aired by the WOSU Stations in 2003 and 2004.

WQOM-TV, filed by Chuck Roth (11/1/04)

Mr. Roth states that WQOM provides a series of examples of its commitment to localism through existing and expanding local news programming, preemption of national programming for local events, provision of free air time for political candidates and other political programming, on-air programming featuring local musicians, emergency programming, volunteerism, and on and off-air community service.

WRRM-FM, filed by Dan Swensson for Susquehanna Cincinnati under Numerous (11/3/04)

Mr. Swensson states that WRRM airs 40 newscasts per week and 19 local traffic reports per day. It states that all of its newscasts are heavily focused on the local market with 4 of 6 stories focused on local stories.

Mr. Swensson states that WRRM airs a 90 minute block of public affairs programming each Sunday morning including two 30-minute locally originated programs focusing on local issues. Mr. Swensson states that WRRM also airs “Parents Journal,” a syndicated public affairs program surrounding family and parenting issues.

Mr. Swensson states that WRRM also airs emergency programming, 50 public service announcements a week, and participates in many local events and charities.

WSB (Atlanta, GA), filed by Condace Pressley (10/29/04)

Ms. Pressley states that WSB provides a list of locally-related programming affecting its (Atlanta-based) market, including: over 43 hours of local news weekly; 2 hours of locally-produced public affairs programming weekly; daily 4 ½ hour issues-focused talk show; programming cut-ins for breaking news, including weather emergencies and election; and community support for a number of locally-based community-oriented campaigns.

WSET, filed by Randall J. Smith, President (11/15/04)

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Mr. Smith lists the localism initiatives of WSET-TV. Mr. Smith states that, the news department at WSET-TV is the largest department in the station. WSET-TV's website is used to enhance local news coverage, according to Mr. Smith.

Mr. Smith states that WSET focuses on local public affairs. Mr. Smith states that in addition to having an "open door policy" and accepting and reviewing emailed suggestions, WSET-TV uses "Survey of Community Needs and Interests" forms to solicit input from people on the items they feel are concerns in their communities. Mr. Smith provides examples of WSET-TV preempting network programming in order to air other programming of more interest to the local community.

Mr. Smith states that WSET-TV recently purchased a new Weather Central system for forecasting and that WSET-TV participates in Amber alerts and is an EAS Participating National (PN) member station.

Mr. Smith also states that WSET-TV offers free access to political candidates via a series of "mini-debates" titled "Where Do You Stand?" Mr. Smith also lists the civic, cultural, community responsive programming WSET-TV provides, as well as the station's participation in community activities.

WSYM Fox 47, filed by Judy Kenney (10/28/04)

Ms. Kennedy describes how WSYM serves local communities, including examples such as public affairs programming, involvement in local emergency preparedness, and the local Amber Alert.

WTKM-FM, Hartford, Wisconsin, filed by Lopas, Scott A. (3/16/04)

Mr. Lopas complains that when Station WEXT began operating on its construction permit ("CP") at a new location with increased power in a neighboring city, WTKM-FM immediately was bombarded by phone calls, and listener calls, letters, and e-mails continue pouring into the station. Mr. Lopas states it expressed concern when WEXT's CP was granted, and it expected problems due to potential short-spacing interference. Mr. Lopas states that its President/General Manager, who has been with WTKM for 35 years, has seen development of new, nearby drop-in stations and has dealt with loss of coverage to a portion of the station's listening audience, and contends that this is the most blatant instance of overriding interference he has ever experienced.

Mr. Lopas claims the FCC's interest of creating "greater diversification of programming and ownership" by reducing spacing requirements and allowing more drop-in stations ironically has resulted in the opposite situation. Mr. Lopas states that it has a unique format targeting 50-plus listeners who are severely under-served in this and many similar markets, and that with local ownership, stations such as itself continue being squeezed by other multi-station, run-of-the-mill formatted stations. Mr. Lopas states it is interesting

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that the FCC created its Localism Task Force to review broadcast localism, while, according to Mr. Lopas many FCC actions actually frustrate attempts by some radio stations to create long-term broadcast localism.

Mr. Lopas states that the public interest cannot be served when one station's operation causes severe interference to adjacent channels, and Mr. Lopas requests that a formal license be denied to WEXT to continue operations per its CP.

WTMJ/WKTI Radio filed by Jon Schweitzer (10/26/04)

Mr. Schweitzer states that he believes it is not necessary to monitor or regulate radio stations' localism efforts because they "exceed any standard of performance in this area." WTMJ/WKTI lists examples of their investment in local news and involvement in local public affairs.

Mr. Schweitzer states that the stations make programming decisions based on the following: "[o]ur longstanding desire to be not just a radio station but a citizen of our community; our expertise in the industry; and feedback from community leaders and members of our audience."

Mr. Schweitzer states that the stations' representatives meet with community leaders, conduct polling to determine content of programs, and respond to audience communication. Mr. Schweitzer states that the stations have weather diagnostic equipment, participate in Amber Alerts, and EAS monitoring. Mr. Schweitzer also provides examples that he says demonstrate the stations' support of local charity initiatives.

WVBT-TV (FOX 43), filed by Rosetta Rolan (11/1/04)

Ms. Rolan states that its 10 p.m. news is "just now coming into its own on the local news front." Ms. Rolan states that, when considering programming, the station looks at what is available, assesses how it fits with the demographics of the local market, and closely examines feedback from viewers, whether positive or critical.

Ms. Rolan states that the most recent example of WVBT's preempting network programming was during hurricane Isabel in September 2003, when the station aired coverage from its sister station, WAVY-TV. Ms. Rolan states that WVBT participates in both Amber and EAS as a monitoring station and that it also provides political programming, as well as civic, cultural and other community-responsive programming.

WWCD, filed by Schmidt, Jordan Alison (10/22/04)

Ms. Schmidt offers examples of WWCD programming which she asserts support the local market, including production support and airing of locally-oriented PSAs; support

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for local civic and charitable events; locally-based news, weather, and sports reports; live local sporting events; and airing of local musical groups.

WWST, WMYU, WKHT, WQBB, Knoxville (10/27/04)

These stations document examples of service to their community, including the airing of a weekly community talk show (the East Tennessee Report) and a public health program (the Radio Health Journal). The stations state they also help support local charities and participate in local charity fundraising events, and air PSAs regarding issues of interest to the local community.

WWVR-FM, West Terre Haute, Indiana, filed by Conner, James E. (11/1/04)

Mr. Conner itemizes WWVR-FM, West Terre Haute, Indiana, localism initiatives. Mr. Conner states that it airs three local newscasts daily (Monday through Friday), that its news department monitors community concerns with the city and state police, that it interrupts regular news programming as situations warrant, and that the news on its website is up-to-the-minute. Mr. Conner states that WMNR invites community comment on important issues on its website. Mr. Conner states that WMVR is locally programmed and has only one major network program Monday through Saturday. Mr. Conner asserts that WMVR supports voter registration by reminding listeners to register and to vote. Mr. Conner states that the station covers local events throughout the year, including American Red Cross public service announcements, and that it is very connected to the community, including assisting the YMCA and United Way with their various programs.

WXOW-TV, filed by Chuck Roth (11/1/04)

Mr. Roth submits a report describing WXOW's initiatives to air programming that is responsive to the interest and needs of its community.

Mr. Roth asserts that WXOW has made a significant investment in the airing of local programming. He states that presently, one third of all operating expenses for the station are devoted to local news gathering and broadcasting, and that 15% of the station daily programming is devoted to local news.

Mr. Roth says WXOW considers the input of several sources like their local United Way organization when determining the type of programming that will meet the needs of the community. Mr. Roth states that the station has produced and broadcasted several Town Hall Meetings on issues such as drug and alcohol abuse, youth concerns and health care. Mr. Roth states WXOW conducted a community wide healthy living program that included signing up over 1500 people who agreed to improve their diet and exercise. In regard to community responsive programming, Mr. Roth states that WXOW includes in its schedule a local religious program, as well as extensive high school and local university sports coverage, and airs a local weekly show that covers outdoors activities.

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In addition, the station is sponsoring a new initiative called the Garage Band Contest, which provides on-air opportunities for local artists.

Mr. Roth states that WXOW's emergency programming includes live coverage of local emergencies, traffic and severe weather, and that it participates in both the EAS and Amber Alert programs.

Mr. Roth states that WXOW provides comprehensive coverage of political events and local political campaigns and airs public service announcements encouraging viewers to vote during the election year.

WYGY-TV, filed by Dan Swenson for Susquehanna Cincinnati, under Numerous (11/3/04)

Mr. Swenson states that WYGY-TV airs 28 newscasts per week in the morning, between 5:30am and 9am. He states that each newscast is 90 seconds in length, totaling 9 minutes of news per day, and that in addition, WYGY airs 19 local traffic reports per day for a total of 19 minutes. Two percent of each day's programming is devoted to local news and information, according to WYGY.

Mr. Swenson also states that it airs a 90-minute block of public affairs programming each Sunday morning, including two 30-minute locally originated programs including "Radio Health Journal" and "The Community Report." In addition, he states that public affairs issues such as education, health care, transportation, crime and jobs are often featured in WYGY newscasts, typically on a daily basis.

WYGY states that it airs five public service announcements responding to community needs on a daily basis and that its community service director determines community needs and requests for content in these announcements. WYGY also states that it airs emergency information such as Amber alerts, EAS alerts, and weather emergency information.

Ybarra, Julie (1/28/04)

Ms. Ybarra comments that she appreciates the religious broadcasting of the First Baptist Church, because she is unable to attend church on a regular basis, and it allows her to listen to the sermon through her television on Sunday mornings on KSAT, channel 13. Ms. Ybarra hopes the transmission will continue.

Yeager, William (11/1/04)

Mr. Yeager believes that in regard to the issue of community-responsive programming the FCC should refrain from adding program requirements to radio and TV stations.

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In reference to the issue of disaster warnings, he recommends that the Commission enact regulation that will require television stations to provide more information for weather-related and other sudden emergencies in their viewing area than is currently required by EAS.

On the issue of paid interviews, Mr. Yeager agrees the Commission should adopt requirements about the fair disclosure of interviews in which guests have paid to appear on either radio or television programs. He also believes the Commission should make it easier for network television stations to preempt network programming. As for the issue of stations conducting remote broadcast, he indicates that the station should be allowed to recover any expenses associated with the broadcast.

Mr. Yeager opposes LPFM stations priority over translators. He considers that translators can serve the public interest in providing communities with programming that would not otherwise be available. He supports the programming of Air1Radio (KHRI-FM/Hollister, CA) on W205BT/New Albany, IN. Mr. Yeager suggests the Commission should develop a system where all FM licensed stations are viewed as equals, instead of the current system where different FM services have priority over each other and recommends that LPFM stations should be allowed to operate on the second adjacent channel from other licensed FM stations. He further recommends that in order to reach a larger area, the Commission should raise the maximum effective radiated power (ERP) for LPFM to 250 watts.

Zanoni, Louis A (10/24/03)

Zanoni states that they operate an LPTV station in Mercer County, NY; that in Mercer County, NJ, LPTV is the only source of local news; and that without access to cable, local broadcast news will no longer be available in Mercer.

Zonshine, Mike, filed under Numerous (11/1/04)

Mr. Zonshine explains that he is the principal trumpet player for the Honolulu Symphony. He expresses concerns about the FCC controlling radio stations' "ability to broadcast what they would like...." He indicates that his biggest concern is censorship.

Zulch-Hays, Laura, filed under Numerous (8/23/04)

Ms. Zulch-Hays states that "business versus public" is polarized. She suggests that mediation and mediators could help to mend this partisan rift, and that our democracy is at stake. Ms. Zulch-Hays suggests questioning the assumptions and considering the issues deeply, and asks the Commission to "[s]ave our democracy with diversity."

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Localism Field Hearings

Hearing on Broadcast Localism - Charlotte, North Carolina
McCrory, Patrick, Mayor of Charlotte, North Carolina (10/22/03)

Mayor McCrory states that the work of the Commission, particularly with regards to the media and its interaction with the public, is very important. In Mayor McCrory's capacity as a member of the Board of Directors of the U.S. Conference of Mayors, he raises two issues: (1) the need to solve the problems with interference to channels used by emergency responders so they are not intermingled with adjacent commercial channels; and (2) the inability of local governments to collect franchise fees based on the FCC ruling classifying cable modem services as information services rather than telecommunications or cable services, which negatively affects their revenue streams. Mayor McCrory thanks the local media in Charlotte for their service in times of public emergencies, such as on 9/11, and during hurricanes and ice storms. Mayor McCrory states that Charlotte has a very strong community norm of responsibility and that its citizens will use their pocketbooks to speak out against media who do not accept this responsibility. Mayor McCrory indicated that the Howard Stern show did not succeed in Charlotte, confirming that Charlotte's community values and norms are very important to its citizens, and that they expect the media to respond to those norms.

Hearing on Broadcast Localism - Charlotte, North Carolina
Watt, Mel, Congressman of North Carolina (10/22/03)

Representative Watt states that it is great to live in a country that places a value on having a discussion such as this, which assumes a commitment to the importance of the First Amendment. He adds that the best citizen is an informed citizen and that localism in broadcasting is extremely important. He opposes relaxation of the media ownership rules, noting his view that, if the ownership decision stands, the public can expect lower standards, less attention to local interests and talent, and a dramatic decline in the diversity of public voices heard, seen, and read, as fewer corporations will control more of our media. Representative Watt states that minority ownership is negatively impacted by the Telecommunications Act of 1996, and the new ownership rules would likely make the "situation for minorities and new entrants go from bad to worse." Representative Watt wants the FCC to make a commitment to supporting minority ownership.

Hearing on Broadcast Localism - Charlotte, North Carolina
Price, David, Congressman of North Carolina (10/22/03)

Representative Price states that politicians did not anticipate how loudly the importance of local media to communities would resonate across the political spectrum. He further states that the license renewal process is important, but it cannot ensure that local media meet the needs of their communities. Neither can network executives do that from their corporate offices in New York, he adds. Representative Price states that local

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broadcasters have a day-to-day responsibility to provide programming that covers and engages their local communities, and they are at their best when they compete with each other in providing such coverage. Localism is partly about who owns television and radio stations, but it is also about how broadcasters determine their programming – programming that adheres to their community standards. Representative Price states that deregulation after the Telecommunications Act of 1996 has not been kind to localism with respect to radio, and Representative Price urges that television not go down the same path. He further believes that diversity is not about 200 channels on cable or satellite TV or radio – it's about the diversity and the independence of our media. Representative Price requests that an article from the *Charlotte Observer*, authored by Senator Jesse Helms and Representative Richard Burr and entitled "Keep Control of TV Local," be included in the record.

Hearing on Broadcast Localism - Charlotte, North Carolina
Keelor, Jim, President and COO of Liberty Corporation (10/22/03)

Mr. Keelor indicates that Liberty Corporation, which owns 15 television stations, has shown its commitment to localism in myriad ways, including its coverage of severe weather conditions and its purchase of state-of-the-art equipment to broadcast localized emergency warnings. Liberty provides a substantial amount of free air time to covering local politics and has a 25-year history of producing debates among statewide political candidates. Programming on Liberty stations includes coverage of local cultural and arts institutions, and one of its North Carolina stations has initiated a program to assist teachers in equipping their classrooms with needed supplies.

Mr. Keelor states that Liberty tries very hard not to be a corporate entity in its local television markets. Liberty wants to operate with a local emphasis, getting involved with Red Cross blood drives and other things that identify it with the community. Mr. Keelor states that the FCC has had a right-to-reject rule for 50 years, which the Commission recognizes as a core of localism. Mr. Keelor would like to see that support continued, and argues that the dynamics of the network/affiliate relationship have changed so much that it is difficult to preempt network programming. Mr. Keelor states that to drive localism and ensure it for the future, the FCC should clarify and reaffirm its support of the right-to-reject rule.

Mr. Keelor also states that Liberty stations offered mayoral candidates in the most recent elections free time in various formats other than newscasts. Liberty offered candidates the opportunity to tape a five-minute, three-minute, or two-minute segment, which its stations would carry on the air in various day parts. Liberty also offered to place on its stations' websites the bios and campaign positions of the candidates. Disappointingly to Mr. Keelor, only one or two candidates took advantage of that offer.

Mr. Keelor believes that current public interest standards are acceptable, but they can be a terrible administrative burden. He also urges that they be applied uniformly – not based

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on station size. If allowed to own two television stations in the same market, Mr. Keelor would accept additional defined public interest standards. He states that broadcast stations have a finite amount of air time and commercial time, and they must prioritize which elections get covered. Mr. Keelor does not think that companies that have leading stations in a market should be penalized by the ownership rules by not being allowed to purchase other media assets, while other companies in the market are not likewise restricted.

Hearing on Broadcast Localism - Charlotte, North Carolina
Kwei, Debbie, General Manager of WCHH-FM (Radio One) (10/22/03)

Ms. Kwei states that Radio One was attracted to the Charlotte market because of its growing African American population. She further states that WCHH invites listeners to the station's offices to share feedback on its programming, and listener feedback is combined with other research to create a format that reflects the particular musical tastes of the urban Charlotte market. WCHH makes a special effort to air local artists, including a weekly program devoted to local music talent. WCHH also addresses the needs of the minority community in Charlotte with its public affairs programming, including campaigns to increase minority bone marrow donors and breast cancer awareness.

Ms. Kwei also states that Radio One tries to do a better job at addressing local issues, and while revenue is a big part of what Radio One does as a commercial station, it recognizes its responsibility to the community at large, and to the African American community in particular. Radio One headquarters has instructed its managers to allow access for local artists and independent labels to pitch their product. As an example, WCHH has a weekly Sunday program that is hosted by local people, and the station listens for what the public wants. If there is interest in a particular local musician, WCHH will play that musician's songs. Ms. Kwei also states that as part of its marketing and promotions activities, WCHH reaches out to local organizations to find opportunities to help these groups get the word out about their particular events, and sometimes to partner with them to make their events even larger than they might have been, but for Radio One's involvement.

Hearing on Broadcast Localism - Charlotte, North Carolina
Merritt, Tift, Recording Artist (10/22/03)

Ms. Merritt states that any examination of localism must include a discussion of media ownership policy. Ms. Merritt states that many of her fans have called several local radio disc jockeys ("DJs"), requesting that her music be played, but have been told by the DJs that even though they wanted to play her music, station management, not the DJs, makes programming decisions. Ms. Merritt disagrees with broadcasting conglomerates who claim that broadcast programming is localized, stating that programming cannot reflect local tastes when listeners' requests are disregarded. She also disagrees that healthy

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competition exists on the public airwaves, and believes that concentrated media stifles local voices. Ms. Merritt warns that if station owners concern themselves only with advertising revenue and disregard content and localism, they will prevent the next generation of local musical talent from being heard.

Ms. Merritt believes that it is naïve to think that pay for play does not occur in the music industry. Radio is the main medium that people turn to when they want to hear a song. To only be able to access that medium through two or three large companies means that musicians' chances of getting airplay are very slim, she states.

Hearing on Broadcast Localism - Charlotte, North Carolina
Rose, Joan Seiffert, General Manager of WUNC-FM (10/22/03)

Ms. Rose states that recording artist Tift Merritt can be heard on WUNC, as well as many other public radio stations across the state. Ms. Rose indicates that WUNC does not receive any direct funds from either the University of North Carolina or the state, and receives less than 10% of its operating dollars from the Corporation for Public Broadcasting. WUNC relies primarily on the financial support of the local community to keep it on the air, and therefore must be responsive to the needs and interests of its listeners. While commercial stations no longer face specific local programming requirements, local news and public affairs programming remain the very foundation of public broadcasting, she states. Ms. Rose adds that the FCC can help support local programming on non-commercial stations by protecting the technical integrity of those stations and enforcing non-interference standards in a fair, reasonable and timely manner.

Ms. Rose states that WUNC's policy is to give exposure to local artists as part of its mandate as a non-commercial station. It is logical for WUNC to play Tift Merritt's songs, as she is very popular with the station's listeners, she states. Regarding political programming, WUNC has some long form interview programs where candidates have a chance to talk at length about their platforms. The station tends to focus those programs on larger statewide races, she notes.

Hearing on Broadcast Localism - Charlotte, North Carolina
Avery, Terry, Operations Manager and Program Director of WPEG, WBAV and WGIV (owned by Infinity Broadcasting) (10/22/03)

Ms. Avery states that she has final say over programming, music, on-air talent, station imaging, and commercial production, but takes input from the music director, marketing director, production director, news and public affairs directors, and on-air personalities. Recent ratings placed WPEG at number one and WBAV at number four in the Charlotte area. WBAV is an urban music station that airs daily hour-long live local, state and national news programming, provides updates during the day, interrupts regular programming for breaking news, and provides weekly hour-long public affairs programming with call-in opportunities and interviews. Ms. Avery states that WPEG is a

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mainstream urban station that airs weekly hour-long programming dealing with racial issues, health, and elections, interrupts regular programming for breaking news, and airs an hour-long program showcasing local and new talent. Additionally, on-air personalities interact with members of the community including hosting block parties in low-income neighborhoods and by being active in nonprofit groups.

Hearing on Broadcast Localism - Charlotte, North Carolina

Goodmon, Jim, President and CEO of Capitol Broadcasting (operates CBS & Fox affiliates) (10/22/03)

Mr. Goodmon states that the goal of the Communications Act is not to promote capitalism, but instead to promote localism, competition, and diversity. He urges the FCC to complete rulemakings regarding quarterly reporting and minimum public interest standards. He states that broadcasters need minimum public interest standards to understand what their responsibilities are. He also urges that there be a system of quarterly station reporting to give the public information on how each station is serving the public interest.

Mr. Goodmon notes that Capitol has preempted programming that it feels does not reflect its community standards, including a program that demeaned marriage. He states that if the network does not give stations a "pre-feed" to review programming ahead of airing, it is more difficult to make a decision on preemption. DTV will help broadcasters air both local programming and network programming through its multicast capabilities. Mr. Goodmon states that a blend of both behavioral and structural rules is necessary to promote localism. He adds that the FCC does not necessarily need to reverse the changes it made to its ownership rules, but it should not relax them more. He states that the single most important determinant of how a station operates is who runs it, and that the larger an owner becomes, the more corporate welfare drives the bottom line, at the expense of localism.

Hearing on Broadcast Localism - Charlotte, North Carolina

Klenz, Mary, Co-President of the North Carolina League of Women Voters (10/22/03)

Ms. Klenz urges that election campaigns are too expensive, and they are directly related to the cost of TV advertising. She further urges that public affairs programming and meaningful political coverage have declined. Citizens get most news from broadcast media, and their primary source of political information comes through advertising, which creates a downward spiral of less information to voters and less voting, she contends. Broadcasters should not charge more for airtime as elections approach, she notes. Broadcasters are given licenses to serve the public, but are not living up to their end of bargain, she contends. She states that business concerns appear to have overtaken the public interest. Broadcasters have an abundance of creativity and talent and should use it to create programming that informs the public about voting and elections. She

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notes that broadcasters used to provide airtime to the League during elections to answer calls from the public, but she notes that they have discontinued this practice. The League currently partners with a local PBS station for candidate debates for a variety of elections, with positive feedback from both voters and candidates.

Hearing on Broadcast Localism - Charlotte, North Carolina

Rustin, John, Director of Government Relations for the North Carolina Family Policy Council (10/22/03)

Mr. Rustin states that while the public has access to an ever-increasing number of media outlets, this does not translate into higher local consumer satisfaction. The concerns about offensive and indecent programming on television and radio are increasing. Competition for market share appears to push the standards of decency, as evidenced by the current trend of reality shows, he states. North Carolina is lucky to have broadcasters like Capitol Broadcasting preempt some of these shows because they demean marriage and family and are inconsistent with local community standards. Local station owners are more likely to understand and respond to local standards. For that reason, the North Carolina Family Policy Council opposes increasing the national television ownership cap. He states that, because the complaining public has the burden of proof in indecency cases, requiring local broadcasters to maintain several months' worth of programming would help the public ensure that community standards are upheld. In addition, swift enforcement of indecency and obscenity laws, including higher fines and license revocations, is critical, he believes.

Hearing on Broadcast Localism - Charlotte, North Carolina

Ward, Michael, General Manager of WNCN-TV (owned and operated by NBC) (10/22/03)

Mr. Ward states that television stations, regardless of ownership and funding, are successful for three reasons: local involvement, local relevance, and local acceptance. When NBC acquired WNCN seven years ago, it changed the station from one that aired paid programming, religious programming and home shopping to one committed to localism. NBC has added 60% more local news, a half-hour public relations/public affairs show, and public affairs announcements and PSAs. WNCN has produced programs for charitable and service organizations, and produces a half-hour show weekly on local artists. It airs specials and provides realtime closed captioning of every special news event, and it recently preempted prime time programming for mayoral debates. It sponsors blood drives and breast cancer research drives. It requires every employee to participate in a community organization. Mr. Ward states that because local service is good business, the Commission's rules do not need to be changed to make broadcasters more locally responsive. Mr. Ward states that he has not preempted programming based on his sensibilities of the community and its values, but he has preempted programming for news specials and to air local events that are more important than network programming.

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**“OPEN MIKE” SPEAKERS AT
LOCALISM TASK FORCE FIELD HEARING**

Location of Hearing: Charlotte, North Carolina

Date of Hearing: October 22, 2003

- Dennis Rash (bicycle safety organization): Speaker expresses concern about irresponsible radio programming advocating violence to bicyclists.
- Mary Lee O’ Daniel: Speaker believes that more programming for the blind is needed.
- Harry Johnson (bicyclist): Speaker expresses concern about irresponsible radio programming advocating violence to bicyclists and the potential harm from ownership consolidation.
- Gray Newman (local government): Speaker articulates the need for improved dialogue between stations and members of the communities that they serve.
- William E. Smith (Shrine Bowl): Speaker praises broadcaster support of his organization.
- David McConnell (media developer): Speaker expresses concern about the decrease in localism efforts, which he believes is attributable to ownership consolidation. He also sees a need for more LPFM stations.
- Marja Cole (American Red Cross): Speaker praises broadcaster support of her organization.
- Sam Brown (Common Cause): Speaker expresses concern about the decrease in localism efforts, which he believes is attributable to ownership consolidation.
- Kathy Walker (advertising agency): Speaker believes that more political programming is necessary and that stations should offer more free airtime to candidates.
- Blanche Dean (bicyclist organization): Speaker expresses concern about irresponsible radio programming advocating violence to bicyclists.
- (Unidentified): Speaker commends localism efforts by areas stations.

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- Bill Price (satellite TV retailer): Speaker believes that satellite subscribers need to be able to receive stations with poor over-the-air signals.
- Doug Echols (Mayor, Rock Hill, S.C.): Speaker commends broadcaster localism efforts, but believes that there is a need for greater diversity in programming.
- Russ Jones (manager of Spanish language radio stations): Speaker relates the efforts of his daytime-only stations to serve minority populations.
- Rev. Ronald A. King (Feed the Hungry program): Speaker praises broadcasters' localism efforts and their support of his organization.
- (Unidentified): Speaker criticizes the use of national music play lists and the recent firing of local station staffs, which he attributes to ownership consolidation.
- Gloria Scienski (Make A Wish Foundation): Speaker praises broadcasters' localism efforts and their support of her organization.
- Karen Perfeda (Children's Miracle Network): Speaker praises broadcasters' localism efforts and their support of her organization.
- Bucky Walker (Shrine Bowl): Speaker praises broadcasters' localism efforts and their support of his organization.
- Paige Throop (Children's Miracle Network): Speaker praises broadcasters' localism efforts and their support of her organization.
- Frank Bell (YMCA): Speaker praises broadcasters' localism efforts and their support of his organization.
- Lois Cowan (bicyclists): Speaker expresses concern about irresponsible radio programming advocating violence to bicyclists.
- Steven Walters (bicyclists): Speaker expresses concern about irresponsible radio programming advocating violence to bicyclists.
- David Hand: Speaker expresses concern about irresponsible radio programming advocating violence to bicyclists.
- Wes Hayes (State Senate): Speaker praises broadcasters' localism efforts.
- "T.J." (radio personality): Speaker praises broadcasters' localism efforts.

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- Elsie Garner (local public TV broadcaster): Speaker expresses need for policies that will foster noncommercial educational stations and improve cable and satellite carriage of their programming. She also praises such stations' localism efforts.
- (Unidentified): Speaker states belief that ownership consolidation harms the diversity of political programming.
- Rita Harman (American Cancer Society): Speaker praises broadcasters' localism efforts and support of her organizations.
- Steve Day (radio personality): Speaker expresses his belief that ownership consolidation decreases station localism efforts and results in cutbacks in station local staffing.
- Darrell Cunningham (anti-violence organization): Speaker praises broadcasters' localism efforts and their support of his organization.
- Bob Forcello (Amber Alert project): Speaker praises broadcasters' localism efforts and their support of the Amber Alert program.
- Wanda Pevia: Speaker praises broadcasters' localism efforts in helping locate her abducted daughter.
- "Gus" (musician): Speaker articulates the need for more station airplay of local artists.
- Wally Bow (journalist): Speaker believes that cutbacks of local news staffing, and the decrease in viewpoint diversity are attributable to ownership consolidation. He praises LPFM as a potential source of localism service.
- Beverly Elwell (hearing impaired): Speaker notes the importance of the availability of closed captioning to the hearing impaired during emergencies.
- Hermoine Castro (Hispanic Political Coalition): Speaker expresses her concern about the negative impact of ownership consolidation on localism efforts and the diversity of viewpoints available.
- Bill Brawley: Speaker expresses his concern about the negative impact of ownership consolidation on station localism efforts.

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- Rick Hunnicutt (satellite TV retailer): Speaker seeks greater availability of DTV signals to rural areas through liberalized cable and satellite carriage of distant TV signals.
- Susan Fox: Speaker expresses her concern about the negative impact of ownership consolidation on station localism efforts.
- Jake Delily (independent music outlet): Speaker complains of the lack of airplay of local artists and stations' payola practices.
- Anthony Quintee (musician): Speaker complains of the lack of airplay of local artists and stations' payola practices.
- Krista Blagan (Arts and Science Council): Speaker praises broadcasters' localism efforts and stations' support of her organization.
- Olma Echerverri (Hispanic Board Coalition): Speaker praises broadcasters' localism efforts, but expresses the need for more politically sensitive programming.
- Joe Huss: Speaker expresses concern about availability of appropriate children's programming and complains of indecent broadcasts.
- Howard Clement (City Council): Speaker praises broadcasters' localism efforts.

**Hearing on Broadcast Localism – Monterey, California
Albert, Daniel, Mayor of City of Monterey (7/21/04)**

Mayor Albert states that the commercial broadcast media have a history of serving the Monterey community well. He indicates that Clear Channel Communications and its predecessor, the Ackley Group, have a good working relationship with Monterey. He states that the size of the Monterey market makes for a unique relationship with local broadcasters which may not be duplicated in larger communities.

Mayor Albert states that although the hearings are focusing on commercial broadcast media, he encourages the Commission to examine community media and PEG access to the cable system as vehicles to meet community needs and interests. He asserts that these types of solutions can mitigate many of the concerns of the media consolidation debate. Mayor Albert indicates that PEG access and institutional networks are at risk. He adds that because of the "growing erosion" of local governments, cable financing authorization by legislatures and regulators is an important subject in the Monterey area.

Hearing on Broadcast Localism - Monterey, California

This summary reflects comments received through September 18, 2006. It does not constitute an actual portion of a comment filed in this docket. Always rely only on the full text of each comment.

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Farr, Sam, Congressman of California (remarks delivered by Alex Zerago) (7/21/04)

Alex Zerago indicates that he is present at the hearing on the behalf of Representative Sam Farr. Mr. Zerago reads the text of a letter from Representative Farr, which indicates that the congressman's testimony and the delegation's letter seek to highlight the widespread concern over media consolidation and its effect on the public discourse. Representative Farr urges the Federal Communications Commission to work with the public to enact stricter licensing and ownership standards. He states his hope that this series of Localism Task Force hearings will begin a reinvigorated dialogue that will truly achieve media diversity.

He also adds that the hearings thus far must have given the Commission a sense of the intense interest that this issue of media consolidation has generated across the spectrum of the American public.

Additionally, Mr. Zerago reads the text of a letter signed by 22 members of Congress from California. In their letter, the members of Congress express their concern regarding media consolidation, and their expectation that the Monterey localism hearing would add to the dialogue and debate on media diversity.

Mr. Zerago indicates that the letter is signed by the following members of Congress: Sam Farr, Nancy Pelosi, Diane Watson, Barbara Lee, Lois Capps, Robert Matsui, Henry Waxman, Bob Filner, Maxine Waters, Tom Lantos, Lynn Woolsey, Mike Honda, Ellen Tauscher, Hilda Solis, Pete Stark, Mike Thompson, Javier Becerra, Linda Sanchez, Anna Eshoo, Dennis Cardoza, Loretta Sanchez, Howard Berman, and Grace Napolitano.

Hearing on Broadcast Localism - Monterey, California
Zarazua, Blanca, Chair of the Hispanic Chamber of Commerce of Monterey County
(7/21/04)

Ms. Zarazua states that the Commission's efforts to ensure that broadcasters serve the needs and interests of all segments of their communities should include the Spanish speaking communities. She adds that many Spanish speakers find the U.S. legal system difficult to understand, and there are many issues facing immigrants from Mexico who live and work in the Central Coast of California, and challenges faced by small Hispanic-owned businesses.

Ms. Zarazua states that, among Spanish speaking populations, there is a diversity of language preference, immigration status, and economic and education levels. Because of this multi-faceted context, the Commission's localism implementation should include extensive research and careful evaluation.

She states that persons unable to read English or Spanish will rely heavily on audio and visual sources of information. Because of this, Ms. Zarazua states, broadcasters must use

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the airwaves to serve the public interest, including adopting a broad definition of the public to include Spanish speakers, immigrants from abroad, and individuals who are illiterate. She adds that denying the benefits of this public resource to these individuals is a disservice to everyone in the community, not just those directly affected. She states that programming should highlight heroes and success stories from within the community so that community pride may be fostered.

Ms. Zarazua states that the Commission should: include local station decision makers in defining and implementing localism; provide access of station decision makers to the local residents to promote trust within the local communities; urge broadcasters to locate their main studios within the local communities so that they are part of the neighborhood; promote participation in local community activities; encourage contacts with the leadership in local community groups to help broadcasters become familiar with community priorities; define locally oriented programming as programming of interest to the local community; incorporate individuals with sensitivity to underserved communities in the decision-making process; track usage of PSAs; reward licensees who seek opportunities to educate underserved communities; and introduce qualitative factors, such as community commitment, into the licensing process.

Hearing on Broadcast Localism - Monterey, California
Dominguez, Eduardo, Vice President and General Manager of KSTS-TV
(Telemundo) in San Jose, California (7/21/04)

Mr. Dominguez states that Telemundo and its owned and operated stations consider community service essential to their business and their role as local broadcasters. He adds that three principles are essential to a TV station: local attention, local action and local accountability.

Mr. Dominguez states that local attention means focusing on events that matter to all of a TV station's audience. For Spanish language programming, that sometimes includes covering news stories about Mexico or El Salvador that are important local stories. Local attention may also include information about opening checking accounts and immunizations for school children.

He adds that local action means that the station must involve itself with the community in ways that advance the community, such as fundraisers to benefit emergency community housing and shelter and Head Start, or hosting immigration forums. Mr. Dominguez explains that KSTS also maintains a strong relationship with the business community via the 15 Hispanic Chambers of Commerce throughout Northern California, by sponsoring and participating in local programs.

Mr. Dominguez states that local accountability means that the viewing audience must be able to rely on KSTS to cover the information that the community needs to know in a timely and appropriate fashion. He states that KSTS serves as a bridge for the Spanish

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speaking community on issues such as immigration, health, and education. He adds that the station's audience has responded by telling KSTS that it needs that type of information to live a better life in the United States.

Mr. Dominguez states that locally, Telemundo has strengthened its daily evening newscasts. He states that KSTS has more resources since Telemundo was acquired by General Electric, the parent company for NBC stations. He indicates that KSTS serves the San Francisco and Monterey markets, and has been able to cover more live news events due to its partnership with NBC stations. Mr. Dominguez adds that KSTS has aided other NBC stations by providing access to Spanish speakers and additional resources that help to broaden the coverage of issues by other NBC stations.

Mr. Dominguez notes that his stations have been a "bridge" for underserved communities by working with voter groups and other groups that help address issues of importance to the Latino community.

Hearing on Broadcast Localism - Monterey, California
Miller, Patti, Director of Children & the Media Program, Children NOW in
Oakland, California (remarks delivered by Seeta Peña Gangadharan) (7/21/04)

Noting that FCC guidelines require that stations air a minimum of three hours per week of children's educational and informational (E/I) programming at times when children are likely to be watching, Ms. Miller states that Children NOW and the Institute for Public Representation at Georgetown analyzed the Children's Television Reports for the last quarter of 2003 prepared by the four full power television stations in the Monterey-Salinas designated market area.

According to Ms. Miller, the analysis found that many E/I shows do not have educating or informing children as a significant purpose of the program as the rules require. In addition, according to her report, two stations fell short of the three hour minimum guideline (Fox affiliate KCBA and Univision affiliate KSMS), one station aired the minimum three hours (CBS affiliate KION), and one station (NBC affiliate KSBW) aired slightly more than three hours of E/I programming per week. Ms. Miller states that Children NOW is troubled by broadcasters' difficulty in meeting what her organization deems to be a "very minimal requirement." Children NOW asserts that local broadcasters are not meeting the distinct needs of the children in the community they serve. According to Ms. Miller's statement, sixty-five percent of the child population in the Monterey-Salinas designated market area consists of children of color, and forty-four percent of school age children speak Spanish at home. She states that despite the diversity of the Monterey-Salinas area, there is just one full power Spanish language TV station in the area, and it offers only two E/I programs.

Ms. Miller indicates that due to the frequent pre-emption of E/I programming for sports, parents and children may find it difficult to locate and watch the small amount of